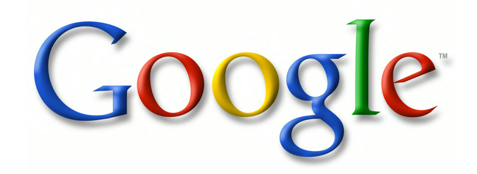


COLOMBIA Y PERU.

COLOMBIA AND PERU.

MANIFIESTO,

QUE HACE EL

GOBIERNO DE COLOMBIA

DE LOS

FUNDAMENTOS QUE TIENE PARA HACER

LA GUERRA AL GOBIERNO DEL PERU;

CON LA

CONTESTACION QUE DA A LOS CARGOS

EL

CIUDADANO M. L. VIDAURRE,

COMO PRIMER MINISTRO DE ESTADO Y DE RELACIONES INTERIORES Y ESTERIORES.

Trasladadas Ambas Piezas al Ingles.

BOSTON:
IMPRENTA DE HIRAM TUPPER.

1828.

MANIFESTO,

PUBLISHED BY THE

GOVERNMENT OF COLOMBIA,

OF THE

REASONS WHICH IT HAS TO MAKE

WAR AGAINST THE GOVERNMENT OF PERU;

WITH

THE ANSWER GIVEN TO THE CHARGES,

BY

Manuel Lorenzo

CITIZEN M. L. VIDAURRE,

AS PRIME MINISTER OF STATE AND OF HOME AND FOREIGN RELATIONS.

Both Productions Translated into English.

BOSTON:

HIRAM TUPPER, PRINTER.

1828.

DEDICACION.

Esta Publicacion traducida en Ingles por un amigo de la libertad é independencia del Nuevo Mundo, se dedica de corazon à las gentes esclarecidas y liberales de todas las Naciones.

DEDICATION.

This Publication, translated into English by a friend of the liberty and independence of the New World, is cordially dedicated to the enlightened and liberal of all Nations.

MANIFIESTO

QUE

HACE EL GOBIERNO DE COLOMBIA DE LOS FUNDAMENTOS QUE TIENE PARA HACER LA GUERRA AL GOBIERNO DEL PERÚ.

Obligado el gobierno de Colombia á emplear contra el Perú las armas que le diéron independencia y libertad, debe á la opinion pública, debe á los demas estados de America, i debe á todas las naciones la manifestacion de los motivos que le hacen llevar la guerra al territorio á que antes llevó la paz i la felicidad.

Ninguna nacion ha tenido el sufrimiento i la moderacion de que ha usado Colombia con el Perú. Provocaciones, insultos, ultrajes, todo lo ha sufrido por el bien de la paz i por evitar un rompimiento entre estados cuya existencia comienza, i cuyos intereses debian estar íntimamente ligados para su defensa, para su dicha i prosperidad : pero el gobierno del Perú desatendiendo toda consideracion no ha cesado en sus ofensas, é ya no es posible sufrirlas, sin renunciar al honor nacional, i sin que Colombia se haga indigna de ser enumerada entre los pueblos independientes de la tierra.

Son bien notorios los servicios eminentes, los sacrificios heróicos que Colombia ha hecho por libertar al Perú de sus antiguos amos, de la deslealtad de sus hijos, de la guerra civil, del desórden i de la anarquía. Cuando todo estaba perdido en el Perú, cuando ninguna esperanza le quedaba de salvacion, porque la fuerza de los enemigos era inmensa, i la desmoralizacion jeneral, entónces llama en su ausilio á Colombia : le prodiga esta sus socorros ; i Dios que habia protejido á los colom-

MANIFESTO

PUBLISHED

BY THE GOVERNMENT OF COLOMBIA OF THE REASONS IT HAS TO WAGE WAR AGAINST THE GOVERNMENT OF PERU.

The government of Colombia being obliged to employ against Peru the arms that gave it independence and liberty, it owes to public opinion, to the other States of America and to all nations the manifestation of the reasons that cause it to carry war to the territory to which it before carried peace and felicity.

No nation has had the forbearance and moderation which Colombia has practised towards Peru. Provocations, insults, outrages, it has borne everything for the good of peace and to avoid a rupture between States whose existence begins, and whose interests ought to be intimately connected for their defence, for their happiness and prosperity: but the government of Peru, disregarding every consideration, has not ceased its offences, and it is no longer possible to suffer them, without renouncing national honour, and without Colombia rendering itself unworthy of being numbered among the independent nations of the earth.

The eminent services, the heroic sacrifices which Colombia has rendered and made to liberate Peru from its ancient masters, from the disloyalty of its sons, from civil war, disorder and anarchy, are well known. When everything was lost in Peru, when no hope of salvation remained to it, because the force of the enemy was immense and demoralisation general, then it called Colombia to its assistance; the latter lavished on it its aid; and God who had protected the Colombians to destroy its op-

bianos para destruir á sus opresores i hacer libre á su patria los proteje tambien para salvar al Perú i sacarle de la abyeccion i de la nada. Inmortales victorias coronáron sus esfuerzos é hiciéron independiente á aquel pais.

El congreso se reune entónces, manifiesta la gratitud de la nacion, i no juzgándola libre aún del influjo de las facciones i del poder de la anarquía, invoca nuevamente á Colombia i solicita de ella una division ausiliar. Conviene esta República en qua sus tropas permaneciéran en el Perú, i las tropas colombianas mantienen el órden i aseguran la tranquilidad. El gobierno del Perú comienza aqui sus agravios: sin reconocer el beneficio que estaba recibiendo, i olvidándose de todo sentimiento honroso i noble, paga á Colombia seduciendo á los ausiliares, infundiéndoles el espíritu de rebelion i haciendo que depusiesen á sus jenerales, i que se declarasen árbitros de la suerte de su patria. Es imposible dudarlo: militares tan subordinados como los colombianos, acostumbrados á obedecer á sus jefes, á respetar á su gobierno, i á quienes no eran indiferentes el honor y la gloria, sin una seduccion muy fuerte, sin alicientes que solo podian venir de parte de los mandatarios del Perú, i sin contar con la proteccion eficaz de estos, no se hubieran atrevido á faltar á su deber, á marchitar sus laureles, i perder su reputacion.

Violada la fe de la amistad á quien se habian confiado el buen órden, la disciplina i subordinacion de aquellas tropas, ya nada detuvo al gobierno del Perú para obrar hostílmente contra Colombia. Formó el proyecto de apoderarse en profunda paz de los tres departamentos meridionales, i para que la ofensa fuese mas grave, i el ultraje mas doloroso, resolvió valerse para esta empresa de los mismos cuerpos colombianos á quienes encargó del sacrílego atentado de despedazar á su patria. Con protestas de amistad i de mantener la mejor harmonía con Colombia, el gobierno del Perú inspiraba la traicion en las tropas de esta República; i la inspiraba en su provecho, i en pago de los inmensos servicios que habia recibido, i que siendo tan recientes no podia haber olvidado.

La venida de la division ausiliar se acordó únicamente con él que se titulaba comandante jeneral de ella, principal cómplice de la sublevacion: no se dió aviso anticipado ni al gobierno de

pressors and make their country free, protects them also to save Peru and draw it from abjection and nothingness. Immortal victories crowned their efforts and made that country independent.

The Congress then meets: it manifests the gratitude of the nation, and not judging it yet free from the influence of factions and the power of anarchy, invokes anew Colombia and solicits from it an auxiliary division. This republic agrees that its troops should remain in Peru, and the Colombian troops maintain order and insure tranquillity. The government of Peru commences here its offences: without acknowledging the benefit that it was receiving, and forgetting every honourable and noble sentiment, it pays Colombia by seducing the auxiliaries, infusing in them a spirit of rebellion and causing them to depose their generals, and that they should declare themselves arbiters of the fate of their country. It is impossible to doubt it: a military so subordinate, as the Colombians, accustomed to obey their chiefs, to respect their government, and to whom honor and glory were not indifferent, without a very powerful seduction, without allurements that could only proceed from the agents of Peru, would not have dared, unless they relied upon the officious protection of these, to fail in their duty, to wither their laurels, and lose their reputation.

The faith of the friendship to which the good order, discipline and subordination of those troops were entrusted, being violated, nothing now prevented the government of Peru from acting with hostility against Colombia. It formed the project of seizing in profound peace on the three southern departments, and in order that the offence might be more heinous and the outrage more grievous, it resolved to avail itself for this enterprise of the very Colombian troops to whom it confided the sacrilegious attempt to rend their country to pieces. With protestations of friendship and of maintaining the best harmony with Colombia, the government of Peru inspired treason in the troops of this republic, and inspired it for its benefit, and in payment of the immense services which it had received, and which being so recent it could not have forgotten.

The coming of the auxiliary division was only agreed upon with him who called himself commandant general of it, the principal accomplice of the insurrection: no previous notice was given to the government of Colombia, nor its agent in Lima:

Colombia, ni á su ajente en Lima: no se esperáron sus órdenes, ni el jeneral que el mismo gobierno del Perú habia pedido para que tomase el mando: se equipó de cuanto necesitaba con la mayor presteza i con la mas grande reserva, i para que no quedara duda de la hostilidad que se intentaba i del objeto con que venian esas tropas, se cerró el puerto del Callao mientras se verificaba el embarque, i los buques de guerra i trasporte despues de haber desembarcado una parte de la division, han permanecido al frente de los puertos del departamento de Guayaquil por algunos dias aguardando el resultado. La Providencia hizo inútiles las maquinaciones de los traidores i de los enemigos gratuitos: desbarató sus proyectos i anuló su empresa; pero el gobierno del Perú es responsable de ella, de los atentados que se cometiéron para llevarla á efecto, i de los males que sufrió Colombia por algun tiempo.

El ajente de esta República tuvo noticia de la venida de las tropas cuando estaban ya embarcándose: reclamó entónces i protestó fuerte i enérjicamente de cuanto se hacia, mas su reclamacion fue desatendida, i sus protestas no tuviéron otro resultado que él de que se le persiguiera con encarnizamiento hasta espelerlo del pais en el término de diez i ocho horas con ignominia i afrenta, conduciéndosele á bordo con una escolta i manteniéndosele preso en un buque de guerra, sin causa, sin motivo i sin una apariencia siquiera de culpabilidad. La representacion de Colombia fué ultrajada atrozmente en la persona de su ajente, i hasta ahora no ha visto este gobierno satisfaccion alguna por esta horrenda violacion de la lei de las naciones.

Restablecido el órden en los departamentos meridionales, los traidores que lo habian trastornado huyendo de la vindicta nacional se han refujiado al Perú, i no solo se les ha acojido sino que se les han tributado elojios por su traicion, por su maldad, i por su perversa conducta. Su acojimiento es tanto mas escandaloso cuanto que los oficiales colombianos que no habian tomado parte en sus operaciones i que las desaprobaban, contra la fe de los tratados existentes, han sido espelidos del Perú como personas sospechosas. El castigo ha recaido sobre los honrados i pacíficos colombianos, i los premios i consideracion sobre los malvados i delincuentes.

El gobierno de Colombia callaba i con su silencio respondia

they did not wait its orders, nor the general which the government of Peru itself had asked that he might take take the command, it was equipped with whatever it wanted with the greatest promptitude and secrecy, and that no doubt might remain of the hostility which was intended and the object for which those troops came, the port of Callao was shut whilst the embarkation was effected, and the vessels of war and transports after landing a part of the division have continued off the ports of the department of Guayaquil for some days waiting for the result. Providence rendered the machinations of traitors and gratuitous enemies useless: it defeated their projects and annihilated their enterprise; but the government of Peru is responsible for it, for the attempts which were committed to carry it into effect, and for the evils which Colombia suffered for some time.

The agent of this Republic had intelligence of the coming of the troops when they were already embarking; he then remonstrated and strongly and energetically protested against everything that was doing, but his remonstrance was disregarded, and his protestations had no other effect than being persecuted with rage even to expel him from the country within the term of eighteen hours with ignominy and disgrace, conducting him on board with an escort and keeping him confined in a vessel of war, without cause or reason, and without the least appearance of culpability. The representation of Colombia was atrociously outraged in the person of its agent, and to this day this government has not received any satisfaction for this horrible violation of the law of nations.

Order being reestablished in the southern departments, the traitors who had overthrown it, flying from national vengeance took shelter in Peru, and were not only welcome, but received commendations for their treason, their wickedness and perverse conduct. Their reception is so much the more scandalous, as the Colombian officers who had not taken any part in their operations and who disapproved them, against the faith of existing treaties have been expelled from Peru as suspicious persons. The punishment has fallen upon the honourable and pacific Colombians, and the rewards and consideration upon the wicked and delinquent.

The government of Colombia was silent and in this way an-

á las injurias que se le irogaban. Manda un oficial con pliegos para Bolivia, i se le detiene en un puerto del Perú, obligándole á hacer viaje al Callao : tiene que arrojar al mar la correspondencia que se queria que entregase, i se le lleva á Lima á donde se le mantiene mucho tiempo. El vicepresidente de esta República remite á uno de sus edecanes con el encargo de presentar al presidente de Bolivia la espada que le decretó el congreso de Colombia, i es tambien detenido en el Callao. Pasa á Lima i ponderándosele riesgos en el camino, no se le permite pasar adelante, i se vé precisado á volverse dejando alli la espada i la comunicacion de que iba encargado. El Perú estaba en guerra con Colombia, sin haberla declarado, i Colombia en paz i queriendo cultivar la amistad con el Perú.

Destruido el proyecto de conquistar una parte del territorio con el ausilio de las tropas colombianas, el gobierno del Perú no pierde sin embargo las esperanzas de hacerse á él por otro medio. Emprende con este objeto formar un ejército en las fronteras, i lo ejecuta con tanta eficacia, como si mui pronto debiera abrir la campaña. Bien se hizo cargo de que un paso semejante alarmaria al gobierno de Colombia, i creyendo que podria adormecer su vigilancia, le manda un ministro plenipotenciario, sin instrucciones ni poderes para concluir cosa alguna, anunciándole que el objeto de su mision era dar satisfacciones por los agravios de que tenia que quejarse, i que el mismo gobierno del Perú supuso haberle iorgado, sin que se le hubiera hecho reclamo alguno. ¡ Tanto era el convencimiento en que se hallaba de que todos sus actos eran hostiles !

No desconoció el gobierno de Colombia la trama que se le urdia, i el fin con que se le enviaba ese ministro : pero le admitió no obstante para manifestar hasta que punto llegaban sus deseos de la paz i de la conciliacion. Se le propusiéron los motivos de queja ; i se le indicáron las satisfacciones que pedia este gobierno ; i el ministro se declaró abiertamente sin instrucciones para convenir en la liquidacion i pago de lo que adeuda el Perú á Colombia en razon de los suplementos que se le hicieron, i para tratar de la devolucion de la provincia de Jaen i parte de Mainas que el Perú tiene usurpadas ; negó el convenio, en virtud del cual fuéron las tropas colombianas al Perú, i por el que se estipuló solemnemente por aquel gobier-

swered the injuries which were inflicted on it. It sent an officer with despatches for Bolivia and was detained in a port in Peru, obliging him to proceed to Callao: he had to throw overboard the correspondence which he was required to deliver, and he was carried to Lima where he was kept a long time. The Vice President of this Republic sends one of his aids-de-camp with the commission of presenting to the President of Bolivia the sword which the Congress of Colombia decreed to him, and he is also detained in Callao. He passes to Lima, and magnifying dangers on the road, he is not permitted to proceed farther, and finds himself obliged to return, leaving there the sword and the errand with which he was encharged. Peru was at war with Colombia, without having declared it, and Colombia at peace and willing to cultivate friendship with Peru.

The project of conquering a part of the territory with the aid of the Colombian troops being destroyed, the government of Peru does not however lose its hopes to effect it in another way. It undertakes for this purpose to form an army on the frontiers, and executes it with so much efficaciousness, as if it were very soon to open the campaign. It well considered that a similar step would alarm the government of Colombia, and thinking it might lull asleep its vigilance, it sent to it a Minister Plenipotentiary, without instructions or powers to conclude any thing, announcing that the object of his mission was to give satisfaction for the offences it had to complain of, and which the government of Peru imagined it had inflicted, without any remonstrance having been made to it. So great was its conviction that all its acts were hostile!

The government of Colombia was aware of the plot which was forming, and of the purpose for which this Minister was sent: but it admitted him notwithstanding in order to manifest to what degree its desires for peace and reconciliation had arrived. The grounds for complaint were exhibited to him, and the satisfaction which this government asked was pointed out to him; and the Minister declared openly that he had no instructions to agree to a liquidation and payment of what Peru owes to Colombia in consequence of the supplies afforded to it, and to treat upon the restitution of the province of Taen and part of Mainas, which Peru has usurped; he denied the convention, in virtue of which

no, el reemplazo numérico de las bajas que sufriesen los cuerpos; i en vez de satisfacciones en cuanto á los demas cargos, los hizo mas graves aún, prodigando injurias é insultos al jefe del gobierno, á los jenerales de Colombia, á sus tropas i á todos los colombianos. Su mision no tuvo, pues, otro fin que él de aumentar el catálogo de los agravios, i él de tener la complacencia el gobierno del Perú de insultar i ultrajar al de Colombia, valiéndose de la inmunidad de que gozaba su ministro.

Entretanto estaba ocupado ese gobierno en negar el paso por un punto de su territorio á las tropas que le diéron libertad i existencia, que se hallaban en Bolivia i que deseaban volver á su patria despues de haber derramado su sangre i prodigado sus vidas por dar independencia i labrar la felicidad de esos mismos, que entónces les negaban el permiso de transitar libremente por el pais que fué testigo de sus glorias, i que recojió sus laureles. Esta negativa i la seduccion que al mismo tiempo se empleaba por los jenerales del Perú, produjéron el movimiento de aquellas tropas en 25 de diciembre último en la Paz, movimiento que pudo apaciguarse en el instante, pero no sin derramamiento de la sangre colombiana. El gobierno del Perú se complació cuando lo supo; elojió en un papel oficial á sus autores; i al principal de ellos, el sarjento que lo emprendió, i que cometió las mas grandes violencias en la Paz, robando á sus vecinos, se le ha recibido en Lima con honor, i se le prodigan las mayores consideraciones. ¿Que puede esperarse de un gobierno para quien son desconocidos el honor, la probidad, la moral, la buena fe: que escita la traicion, que se complace en ver derramar la sangre de sus bienhechores, i cuyos pasos están marcados por la ingratitud i por la perfidia?

El ha hecho ahora invadir á Bolivia, con quien Colombia tiene las mas íntimas relaciones de amistad i fraternidad, sin haber declarado préviamente la guerra; i su jeneral ha tenido la osadía de proclamar á las tropas colombianas, escitándolas nuevamente á que falten á sus deberes, i violen sus obligaciones. El ha resuelto remitir una escuadra para que bloquée al puerto de Guayaquil, i que su ejército estacionado en la frontera marche sobre Colombia, i á su frente el mismo presidente del Perú: él ántes ha tolerado que un destaçamento de ese mismo ejército entrara al pueblo de Zapotillo del territorio co-

the Colombian troops went to Peru, and by which that government solemnly stipulated the numerical replacement of the reduction that those bodies of troops might suffer; and instead of satisfaction in regard to the other charges, he rendered them still more heinous, by aspersing the chief of the goverment, the generals of Colombia, its troops and all the Colombians with injuries and insults. His mission, therefore, had no other end than that of increasing the catalogue of offences, and that the government of Peru should have the pleasure of insulting and outraging that of Colombia, availing itself of the immunity which its minister enjoyed.

In the mean time that government was occupied in refusing a passage on a point of its territory to the troops that gave it liberty and existence, who were in Bolivia and who wished to return to their country, after having shed their blood and lavished their lives in order to give independence and establish the felicity of those very people who then refused them the permission to pass freely through the country which was witness of their glory and which reaped their laurels. This refusal and the seduction which was at the same time employed by the generals of Peru, produced the movement of those troops on the 25th of December last at la Paz, a movement which was appeased instantly, but not without shedding Colombian blood. The government of Peru was delighted when it heard of it, commended in an official paper its authors; and to the principal of them, the sergeant who undertook it and who committed the greatest violences at la Paz, robbing its inhabitants, has been received at Lima with honor, and the greatest considerations are lavished on him. What can be expected from a government who are strangers to honor, probity, morality, good faith; who excite to treason, who delight to see the blood of their benefactors shed, and whose steps are marked by ingratitude and perfidy?

It has now caused Bolivia to be invaded, with which Colombia has the most intimate relations of amity and fraternity, without any previous declaration of war; and its general has had the boldness to address the Colombian troops, exciting them anew to fail in their duty and violate their obligations. It has resolved to send a fleet to blockade the port of Guayaquil, and that its army stationed on the frontier should march upon Colombia, and the pre-

lombiano, que enarbolara alli la bandera peruana i convidara á los habitantes á la insurreccion. El ha permitido al jeneral del mismo ejército i al prefecto del departamento de la Libertad que espidan proclamas amenazantes, i en que se injuria é insulta atrozmente al presidente de esta República : él ha insertado en sus papeles oficiales artículos ultrajantes á Colombia i á su gobierno : él en fin, ha empezado las hostilidades i comenzado la guerra sin respeto alguno por el derecho de jentes, i cuando pendian aun las negociaciones con su enviado, i no se sabia cual podría ser su término.

La guerra se ha hecho, pues, inevitable entre Colombia i el Perú, i sus consecuencias serán de cargo dél que la ha provocado. El gobierno de Colombia no la ha querido, i desearia no haberse visto nunca en la precision de emprenderla ; pero ¿ que debe hacer? Se trata ya por el Perú de invadir este territorio, como ha invadido él de Bolivia : se intenta el bloquéo de sus puertos i se quieren sublevar las tropas ausiliares que aun permanecen en el mismo Bolivia. ¿ Podrá ser indiferente á estos males i dejar que se verifique la conquista que se intenta? Las naciones imparciales decidirán si hasta este punto pudiera llegar su moderacion i sufrimiento.

El gobierno de Colombia no tiene de que quejarse del pueblo del Perú : no ignora sus sentimientos i la gratitud que le anima hácia este pais. La guerra no se dirije, pues, contra él, sino contra su gobierno, autor único de ella, i de todos los ultrajes, ofensas i perfidias que ha sufrido Colombia. ¡ Quiera el cielo que sobre él únicamente i sobre sus ajentes recaigan las calamidades que deben seguirse ! ¡ Quiera él tambien que termine mui pronto, haciendo que su gobierno reconozca la justicia i se prepare á dar las satisfacciones correspondientes, dejando en paz á sus vecinos i dándoles garantías de su amistad i buena fe !

Invoca el gobierno de Colombia el testimonio de los demas estados americanos para acreditar sus miras pacíficas i los deséos que le asisten de que todos se estrechen por los vínculos mas fuertes de fraternidad i de alianza. Con este fin promovió la confederacion americana, que si existiese, evitaria ahora el estremo á que han llegado las desavenencias entre Colombia i el Perú. Ella serviría de árbitro i mediador, i su mediacion seria eficaz ; pero el genio del mal ha hecho inútiles los esfu

sident of Peru himself at its head; it has before suffered that a detachment of this very army should enter the town of Zapotillo, in the Colombian territory; that it should raise there the Peruvian banner and invite the inhabitants to insurrection. It has permitted the general of the same army and the prefect of the department of Libertad to issue threatening proclamations in which the president of this Republic is atrociously injured and insulted: it has inserted in its papers official articles outraging Colombia and its government: it has commenced, in short, hostilities and begun the war without any respect for the law of nations, and when the negotiations were yet pending with its envoy, and the issue of them could not be known.

Therefore, war has become inevitable between Colombia and Peru, and its consequences will be to the account of him who has provoked it. The government of Colombia has not wished for it, and would have desired never to have seen itself under the necessity to undertake it; but, what can it do? Peru is preparing to invade this territory, as it has invaded that of Bolivia: a blockade of its ports is intended, and an attempt is made to excite the auxiliary troops which yet remain in Bolivia itself to rebellion. Can it be indifferent to these evils and suffer the conquest which is contemplated to be effected? The impartial nations will decide whether its moderation and forbearance should be carried so far.

The government of Colombia has no reason to complain of the people of Peru: it is well acquainted with its sentiments and the gratitude it feels towards this country. This war is not, therefore, directed against it, but against its government, the only author of it, and of all the outrages, offences and perfidies which Colombia has suffered. Heaven grant that upon it and its agents alone, the calamities which are to ensue may fall! May it also grant that it may soon terminate, causing that government to acknowledge justice and prepare to give a suitable satisfaction, leaving their neighbors in peace and giving them guarantees of its friendship and good faith!

The government of Colombia invokes the testimony of the other American States to vouch for its pacific views and the desires it cherishes that all should be connected by the strongest bonds of fraternity and alliance. For this purpose it promoted

erzos para que tuviese efecto la confederacion; i el gobierno del Perú se ha obstinado en negarse á ella, estando comprometido por los tratados existentes. Se ha formado una política á parte para hostilizar á los otros estados impúnemente, i ha visto con horror un juez imparcial que condenaria su conducta.

El gobierno de Colombia emprende contra su voluntad esta guerra: no quiere una victoria bañada en la sangre americana: evitará el combate mientras le fuere posible, i estará siempre dispuesto á oir proposiciones de paz conciliables con el honor i decoro de la nacion que preside.

RESPUESTA DE VIDAURRE.

Pongo por testigo á Dios, decia Tamerlano, que no soy un hombre sanguinario; que en mis guerras jamas he sido agresor; y que mis enemigos siempre fuéron autores de sus propias desgracias. No hay usurpador que no alegue motivos de justicia para sus invasiones. Carlos V, la defensa de la religion; Napoleon, la incapacidad de los Borbones; Bolívar, vengar los insultos que se han hecho á su persona y á su patria. La providencia me ha conducido á un punto de contacto con todo el mundo ilustrado. Mi espatriacion me facilita contestar un manifiesto, que aunque en esceso frívolo, contiene muchos hechos falsos que debo esclarecer. El objeto de la guerra declarada por un caudillo de soldados, es bien conocido. Bolívar quiere coronarse en el sud de América. Contempla que no hallará en el Perú resistencia, y lo insulta: ¡ Que triste le ha de ser el resultado!—Mi gobierno, responderá sin duda, de un modo superior al mio; pero lo que por él se escriba, ni será contradictorio con este papel, ni podrá llegar con tanta prontitud á las Naciones estranjeras.

the American Confederacy, which, should it exist, would now avert the extremity to which the differences between Colombia and Peru have reached. It would serve as an arbiter and mediator, and its mediation would be efficacious; but the genius of evil has rendered the efforts useless to carry the confederacy into effect; and the government of Peru has been obstinate in refusing it, though it was bound by existing treaties. It has formed for itself a separate policy to carry on hostilities against the other States, and has seen with horror an impartial umpire which would condemn its conduct.

The government of Colombia undertakes this war against its will; it does not wish a victory stained with American blood; it will avoid the combat as long as it will be possible, and will always be disposed to hear proposals of peace reconcileable with the honor and decorum of the nation over which it presides.

Manuel Lorenzo

ANSWER OF VIDAURRE.

I CALL God to witness, said Tamerlane, that I am not a sanguinary man, that in my wars I have never been the aggressor, and that my enemies were always the authors of their own misfortunes. There is no usurper who does not allege motives of justice for his invasions. Charles V, the defence of religion; Napoleon, the incapacity of the Bourbons; Bolivar, to revenge the injuries, that have been offered to his person and his country. Providence has brought me to a point of contact with the whole civilized world. My expatriation renders it easy for me to answer a manifesto, which although extremely frivolous, contains many false statements which I must elucidate. The object of the war declared by a leader of soldiers, is well known. Bolivar wishes to be crowned in South America. He thinks he shall find no resistance in Peru, and he insults it. How sad will the result be to him! My government will answer, undoubtedly, in a manner superior to mine, but what it writes will neither be contradictory to this publication, nor can it so soon reach foreign nations.

Establezcamos que Bolívar no es presidente de Colombia; que Colombia no tiene actual gobierno; que los pueblos, que componian la república, están oprimidos por la fuerza armada. Esta proposicion es interesantísima. Guerras no pueden haber sino entre naciones constituidas: solo estas tienen derechos y obligaciones sociales. Me guardaré de probar principios que están al alcance de las gentes menos ilustradas. Bolívar para dar la constitucion Boliviana á Colombia, y que fuese general en los tres Estados que debian componer su dilatado imperio, maniobró con astucia, para que se interpretase la constitucion que regia segun sus deseos, y que se abreviase el plazo señalado á la gran convencion. Los hombres libres de aquel pais, que penetraban en el fondo de sus intenciones, se opusiéron con vehemencia. Sin embargo logró dar este primer paso y no contempló difícil el segundo. Habia conseguido que se nombrasen representantes para esa asamblea muchas de aquellas personas adictas á él, por relacion de sangre, amistad, intereses actuales, y esperanzas. Procuró tambien aterrar ántes con atroces hechos y groseras calumnias á aquellos que contemplaba le harian una resistencia vigorosa. Nada omitió de cuanto su política habia puesto en obra en el Perú, para obligarlo á recibir la ley que se habia dignado darle.

Este plan tan lisonjero se desorganiza en el acto que comenzó la convencion. Era difícil que en Colombia la mayoría estuviese por la esclavitud. No habian peleado los héroes de la América por solo trocar el apellido de Borbon con él de Bolívar. Desde las primeras sesiones se descubrió que los que habian defendido la libertad en otro tiempo con la espada y la lanza, sabian tambien hacerlo con la palabra y los escritos. Segun corren los dias van desapareciendo las vanas esperanzas del partido emprendedor. Su abatimiento los conduce á la desesperacion. Al leer las adisciones que debian agregarse á la carta, reconocen en ellas un fuerte dique, que se oponía á la ambicion del nuevo soberano. Ocurren al crímen mas horrible que se conoce en lo político: se separan brúscamente de la convencion é imposibilitan, faltando el número, que continúen las sesiones. Delito de magestad en las repúblicas. Iguala al asesinato de un rey en los estados monárquicos: es darle muerte á la nacion, privarla del cuerpo constituyente legislativo.

Let us lay it down that Bolivar is not President of Colombia; that Colombia has no actual government; that the people who composed the Republic are oppressed by an armed force. This proposition is most interesting. Wars cannot take place excepting between constituted nations. These only have rights and social obligations. I shall beware of proving principles, which are within the reach of the least enlightened people. Bolivar in order to give the Bolivian Constitution to Colombia, and that it might be general in the three States which were to compose his extensive empire, manœuvered cunningly, so that the constitution which governed, might be interpreted according to his wishes, and that the time appointed for the great convention might be shortened. The free men of that country who penetrated the drift of his intentions made a violent opposition. He succeeded notwithstanding in taking this first step, and did not consider the second difficult. He had obtained, that many of those persons devoted to him by consanguinity, friendship, present interests and hopes should be chosen representatives for that assembly. He endeavoured also to appal beforehand, by atrocious deeds and vile calumnies, those whom he supposed would make a vigorous resistance against him. He omitted nothing of all that his policy had brought into operation in Peru, in order to oblige it to receive the law which he had condescended to give it.

This plan, so flattering, is disconcerted immediately at the commencement of the convention. It was improbable that in Colombia the majority should be for slavery. The heroes of America, had not fought only to exchange the name of Bourbon for that of Bolivar. From the first sessions it was discovered that those who had defended liberty, at a former period, with the sword and spear, understood also how to do it with the tongue and pen. As the days pass away, the vain hopes of the party engaged in the attempt continue to vanish. Their discouragement drives them to desperation. On reading the additions that were to be made to the Charter, they discover in them a strong dike, which opposed the ambition of the new sovereign. They have recourse to the most horrible crime known in politics: they withdraw suddenly from the convention, and render it impossible that the sessions should continue, the number being deficient. A high crime in Republics. It is equal to to the assassination of a king in monarchical governments: it is giving death to the

Bolívar no tiene la ciencia de variar para hacer menos perceptibles sus proyectos : el hecho es semejante al que practicó en el Perú para detener las juntas preparatorias del congreso.

En el acto de disolverse la convencion Colombiana concluyo el gobierno. El congreso habia finalizado y desprendídose de sus atribuciones. La soberanía nacional estaba en la junta general de Ocaña. No quedaba por consiguiente representacion nacional, y sin ella no hay lejítimo gobierno. El mismo Bolívar presenta esta verdad en los papeles que se forjáron á su solicitud. En ellos se dice, que separados los miembros de la convencion se rompió el pacto, y los derechos se restituyéron á su orígen, que son los hombres que quieren reunirse en sociedad. Es por esto que se trató de recojer votos individuales por medio de suscripciones en aquellos lugares, donde fué decisivo el influjo. Convenido Bolívar conmigo en este dato, *el pacto se rompió en la convencion de Ocaña ;* á él le toca justificar, que en su persona está el gobierno y la reunion de los poderes, por todo el tiempo que él contemple necesario (1). ¿ Y podrá fundar esta proposicion ? De ningun modo. Para hacerlo eran precisas dos cosas, y aun ellas no bastaban. Primera ; que presentase la voluntad de todos, y de cada uno de los que habitan en la dilatada estension de Colombia. Segunda ; que él y sus soldados se hallasen en tal distancia, que no pudieran coactar ni con la fuerza, ni con la intriga. De otro modo se ha de creer, que como la mayoría de Ocaña estuvo en favor de los principios y decidida á sostenerlos, lo está tambien la voluntad general de la nacion. Es mas fácil adquirir en un congreso hombres inicuos que se vendan por bajos intereses, que seducir á los ciudadanos en particular para que renuncien sus derechos los mas sagrados.

Y realizadas las dos condiciones, ¿ diríamos que habia gobierno ? Mui pocos se decidirian por la afirmativa. *La comunidad social tiene derecho de hacer la eleccion de tal ó tal forma de gobierno é imponérsela.* Esta cláusula tomada de un papel de mucho mérito, que disculpa en cuanto alcanza el talento de sus ilustres autores el atentado de Bolívar, me obliga á presentar

(1) Consta de las actas publicadas en la gaceta de Bogotá, Nos. 364, 5 y 6, y otras ; y sobre todo, de la Carta que acaba de dar.

nation to deprive it of the constituent legislative body. Bolivar has not the art of varying in order to render his projects less perceptible. This conduct is similar to that which he pursued in Peru to suspend the preparatory meetings of the Congress. When the Colombian Convention dissolved, the government ended. The Congress had expired and laid aside its attributions. The national sovereignty was in the general assembly of Ocaña. Consequently there remained no national representation, and without it there is no legitimate government. Bolivar himself presents this truth in the papers which were simulated at his solicitation. In them it is said the members of the convention having separated, the compact was broken and the rights were restored to their origin, that is, the men who wish to reunite in society. It is for this reason that they resolved to collect particular votes by means of subscriptions in those places, where Bolivar's influence was decisive. Bolivar agreeing with me in this *datum, the compact was broken in the Convention of Ocaña,* it is his place to prove, that the government and reunion of powers are in his person for as long a time as he may think expedient. (1) And will he be able to establish this proposition? By no means. In order to do it two things were necessary, and even they would not suffice. First; that he should present the will of all and of each of those who inhabit the wide extent of Colombia. Second; that he and his soldiers should be at such a distance, that they could not coerce neither by force, nor by intrigue. Besides, it is to be believed, that as the majority of Ocaña was in favour of principles, and determined to support them, the general will of the nation is so likewise. It is more easy to gain in a Congress wicked men who will sell themselves for low motives of interest, than to corrupt the citizens individually, and induce them to renounce their most sacred rights. And the two conditions existing; should we say that there was any goverment? Very few would decide in the affirmative. *The social community has a right to make choice of such or such form of government, and to impose it on itself.* This clause taken from a paper of much merit, which exculpates as far as the talent of its illustrious authors ex-

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(1) This appears from the proceedings published in the Gazette of Bogotá, Nos. 364, 5 and 6, and others; especially from the Charter which he has just published.

esta otra proposicion. No hay gobierno lejítimo donde no hay pacto; no hay pacto donde el hombre que manda lo puede todo, y al pueblo no le queda sino una obediencia pasiva, mas limitada que en Argel y el Cairo. Estas no son pomposas voces de un estilo cómico. Agrego por prueba la nueva constitucion. La dictadura de Roma tenia un breve plazo, aqui no tiene otro que la voluntad del guerrero, que no se aviene á gobernar sino con facultades estraordinarias. En Constantinopla sujetan la espada del Sultan las costumbres y la religion; en Colombia no hay cosa alguna que detenga la voz dél que espatria y afusila. Sospechar y desconfiar es suficiente, para que los ciudadanos mas ilustres sufran la mas severa persecucion. Obstáculos no hallará, él que reune en sí los tres poderes. ¿Cual es hoy el título de Bolívar? Presidente y Libertador: ¿Es presidente? ¿Conforme á que constitucion? ¿Lo es por el voto de la mayoría del pueblo? ¿Quien ha numerado los habitantes de Colombia? ¿Como se sabe que el mayor número prefiere la servidumbre á la libertad? Este suceso queriéndolo convertir en doctrina, echa en tierra el grande descubrimiento de la representacion nacional, y deja el campo abierto á la anarquía y á las aspiraciones de un tirano. Tambien del Perú se decia, que la república estaba por su constitucion; tambien alli se formaban actas semejantes á las fráguadas en Colombia; tambien alli se ocurrió á la invencion de la voluntad del pueblo contra el congreso; pero el edifício mágico desapareció triunfando la verdad y la justicia; ¿y un presidente asi formado se compara con él de los Estados Unidos? Es un agravio á esta feliz nacion!!!—¿Es Libertador? No conviene este nombre al que oprime y esclaviza á sus conciudadanos. Perdido el rubor, distíngase por *Déspota*, y retrocedamos al siglo de Constantino.

Para dar colorido á la usurpacion, alega que necesita esas facultades en bien de la misma patria. ¿Con que objeto? Para resistir á las invasiones nuevas de la España, y repeler á los Peruanos que han violado el territorio de Colombia. Ambas proposiciones son ajenas de verdad. El gabinete de Madrid constituido en la última impotencia, no tiene medios para emprender la guerra. Sus pequeñísimas fuerzas no alcanzan á comprimir los partidos interiores. Cada dia se aumentan las

tends, the attempt of Bolivar, obliges me to present this other proposition. There is no legitimate government, where there is no compact; there is no compact, where the man who governs can do every thing, and there remains to the people only a passive obedience, more limited than in Algiers and Cairo. These are not pompous words of a comic style. I add as a proof the new Charter. The dictatorship of Rome had a short duration; here it has none but the will of the warrior, who does not consent to govern but with extraordinary powers. In Constantinople the customs and religion sway the sword of the Sultan; in Colombia there is nothing to arrest the voice of him who expatriates and shoots. To suspect and mistrust is sufficient to cause the most illustrious citizens to suffer the most severe persecution. He who reunites in himself the three powers will find no obstacles. What is now the title of Bolivar? President and Liberator. Is he President? Conformably to what Constitution? Is he so by the vote of the majority of the people? Who has numbered the inhabitants of Colombia? How is it known that the greater number prefer slavery to liberty? Wishing to convert this event into a settled doctrine, overthrows the great discovery of the national representation, and leaves the field open to anarchy and to the aspiring views of a tyrant. It was said likewise of Peru, that the Republic was for *his* Constitution; acts were also formed there similar to those forged in Colombia; recourse was also had there to the invention of the will of the people against the Congress; but the magic edifice disappeared, truth and justice obtaining the victory. And does a President, created thus, compare himself with that of the United States? It is an insult to this happy nation!! Is he Liberator? This title does not become him who oppresses and enslaves his fellow citizens. Having lost all shame, let him be distinguished as a DESPOT, and let us go back to the age of Constantine.

To give a colouring to the usurpation, he alleges, that the welfare of the country itself requires these powers. For what purpose? To resist the new invasions of Spain, and repel the Peruvians, who have invaded the territory of Colombia. Both propositions are void of truth. The Cabinet of Madrid reduced to the utmost weakness, has no resources for undertaking war. Its very small forces do not succeed in restraining the tumults of the interior. Every day insurrections increase in the peninsula. It

sublevaciones en la península. Es imposible que la España que fué libre, aunque por cortos momentos, se resigne á ser esclava para siempre. Fernando no puede sostener su trono en Europa. ¿Quien se persuadirá que piensa en la reconquista de los estensos espacios de la América? Lo intentaria con los ausilios de otras potencias? ¿Cuales serian estas? ¿La Inglaterra y la Francia que nos han reconocido independientes? ¿La Rusia que trata de humillar el poder Otomano? ¿La Austria que pretende resuscitar la Polonia? ¿La Holanda donde un rey filósofo detesta la servidumbre? Es insultar al público fundarse, para sostener un crímen, en hechos que saben que son falsos cuantos leen los papeles de Colombia.

Son de la misma naturaleza las injurias que se suponen haberse sufrido del Peru. No esclarezco ahora este punto: él será el objeto principal de mi contestacion. Demuestro que la guerra no es declarada por un estado á otro; que Bolívar no es Colombia. ¿Y para disolver la convencion, que causa hubo? Influyéron tambien la España y el Peru? No; eran demagogos que querian proclamar y establecer principios liberales, no convenientes en las circunstancias. ¿Y hay circunstancias en las que no convengan los principios liberales? ¿Los que se contenian en las adiciones son partos de una imaginacion exaltada? ¿Son leyes de repúblicas platónicas? Y para resistir á la España y al Peru, para impedir la demagogía se hace conducir bajo de palio en Cartajena, ceremonia acostumbrada antiguamente con los reyes, y que los católicos han reservado á la Divinidad? (2) ¿Para resistir al Peru, á la España, y la demagogía forma una constitucion, por la que *es presidente vitalicio, inviolable, y con facultad de nombrar succesor*? Bolívar es un tirano; Colombia está sin gobierno; la declaracion de guerra no es de un Estado á otro.

Si fuera lícito prescindir de esta primera objecion legal, preguntaria: ¿Cuales son las razones para declarar la guerra? Sostener un derecho perfecto; hacer que se cumpla una obligácion perfecta; es lo mismo que en los procesos entre particulares. Se me notan las citas y estudiosamente las omito en este papel. Estas cuatro letras tienen en su apoyo á todos los

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(2) Hecho escandaloso, á que no se ha dado otra contestacion, que haber sido contra la voluntad de Bolívar, ¡Bolívar violentado!

is impossible that Spain which was free, although only for a short time, should be reconciled to be enslaved forever. Ferdinand cannot maintain his throne in Europe. Who will believe that he can think of reconquering the wide expanse of America? Would he attempt it with the assistance of other powers? Who could these be? England and France, who have acknowledged our independence? Russia, who is endeavouring to subdue the Ottoman power? Austria, who is pretending to revive Poland? Holland, where a philosophical king detests slavery? It is offering an insult to the public, to allege as a pretext for supporting a crime, facts which all those who read the papers of Colombia know to be false.

The wrongs which are supposed to have been experienced from Peru, are of the same nature. I do not elucidate this point now: it will be the principal object of my answer. I demonstrate that war is not declared by one state against another: that Bolivar is not Colombia. And what cause was there for dissolving the Convention? Did Spain and Peru influence that also? No: they were demagogues, who wished to proclaim and establish liberal principles, not suitable under existing circumstances. And are there circumstances under which liberal principles are not suitable? Are those which were contained in the additions, the offspring of an exalted imagination? Are they the laws of platonic Republics? And in order to resist Spain and Peru, to prevent *demagogy*, does he cause himself to be carried under a canopy in Carthagena, a ceremony formerly customary with kings, and which the Catholics have reserved for the Divinity? (2) In order to resist Spain, Peru, and *demagogy*, does he form a constitution, by which *he is President for life, inviolable, and with the power of appointing a successor?* Bolivar is a tyrant, Colombia is without a government, the declaration of war is not by one State against another.

If it were lawful to pass over this first legal objection, I would inquire what are the reasons for declaring war? To maintain a perfect right, to cause a perfect obligation to be fulfilled. It is the same, as in lawsuits between individuals. I am accused of

(2) A scandalous action, to which no other answer has been made. than that it was against the will of Bolivar. Bolivar compelled to do anything!

políticos desde Grocio, hasta el último que ha escrito en nuestros dias. Antes de declarar la guerra, ¿ que debe preceder? Las reconvenciones fundadas de la nacion que se dice ofendida. Nadie puede litigar ántes que la resistencia injusta lo impela á conducirse á los tribunales. No es racional la guerra sin que precedan entre los gabinetes muchas comunicaciones. Cuando se observa la santa máxima, que la paz se ha de procurar por todos los medios posibles, y evitar la guerra como el mayor de los males, se ocurre aun á las mediaciones. La historia presenta continuos ejemplos. ¡ Cuantas eran las solemnidades de que usaba el romano para invadir ! Napoleon prescindió alguna vez de esos preliminares. Quiere Bolívar ser la imágen de Napoleon, sin detenerse en que no hay punto de contacto.

Este preámbulo habrá parecido pesado y fastidioso á los agentes que el presidente tiene en diversos lugares. A los filósofos no les desagradará. Examinando la particular accion de un hombre, siempre se estiende la vista sobre su carácter general é inclinaciones. El que no es justo para con sus conciudadanos, ménos lo será para los estranjeros. No hubo motivo para disolver la convencion de Ocaña, tampoco lo hai para invadir el Perú. Ninguno puede hablar en esta materia con tanta propiedad como yo. He intervenido como actor principal en casi todos los hechos. Fuí el primer ministro de estado despues que el Perú recuperó su libertad é independencia. He sido diputado en el congreso, y tengo toda la ilustracion que se requiere para desvanecer los cargos. He escrito sobre ello un volúmen, titulado ; *Suplemento á las Cartas Americanas.* (3) Esas mismas noticias las compendiaré en brevísimas palabras.

Comienza el manifiesto ponderando los beneficios que el Perú recibió de Colombia, y los ultrajes que ha recojido en recompensa. Procedo por partes : Colombia favoreció al Perú por utilidad propia ; Colombia no sirvió al Perú de un modo generoso ; Colombia ha sido pagada con esceso.

1.° Si Colombia no se hubiera unido al Perú para espeler á los Españoles vencedores, estos hubieran subjugado todo el

(3) Hay una copia en el Atenéo en Boston.

making too frequent quotations and I studiously omit them in this writing. These few lines have in their support all the political works from Grotius down to the last which has been written in our time. Before declaring war, what ought to precede? The well founded accusations of the nation calling itself aggrieved. No one can engage in a lawsuit, before unjust resistance impels him to repair to the tribunals. War is not rational unless many communications precede between the Cabinets. When the holy maxim is observed, that peace is to be obtained by all possible means, and that war is to be avoided as the greatest of evils, recourse is even had to mediation. History presents continual examples. How many were the ceremonies performed by the Roman in order to invade a country! Napoleon laid aside sometimes these preliminaries. Bolivar wishes to be the image of Napoleon, without considering that there is no one point of resemblance.

This preamble will have appeared tedious and dull to the agents whom the usurper has in different places. It will not displease philosophers. In examining the particular conduct of a man, the view always extends to his general character and inclinations. He who is not just towards his fellow citizens, will be less so towards foreigners. There was no reason for dissolving the convention of Ocaña, neither is there any for invading Peru. No one can speak on this subject with so much propriety as myself. I have been engaged as a principal actor in almost all the events. I was the first Minister of State, after Peru recovered its liberty and independence. I have been a member of the Congress, and possess all the information necessary to remove accusations. I have written a volume on the subject, entitled; *A Supplement to the American Letters.* (3) I will epitomise these same statements in a few words.

The manifesto begins by exaggerating the benefits which Peru received from Colombia, and the outrages it has received in return. I proceed by parts. Colombia favored Peru for her own interest; Colombia did not serve Peru in a generous manner. Colombia has been more than repaid.

1st. If Colombia had not joined Peru in expelling the Spaniards, the latter would have subdued all the southern part of America. They had an army of twenty thousand men perfect-

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(3) There is a copy in the Boston Athenæum.

medio dia de la América. Tenian un ejército de veinte mil hombres perfectamente disciplinados; contaban con los tesoros del alto y bajo Perú; podian llenar sus bajas; los comerciantes de Cadiz los ausiliarian, por no perder para siempre el mercado, que los habia enriquecido. ¿Era capaz Colombia de hacer resistencia en sus departamentos del Sud? No, por cierto: la prueba es histórica. La victoria de Pichincha, que fijó su independencia, se debió á las tropas peruanas. El Jeneral Santa-Cruz se coronó alli de gloria, y el mismo Bolivar le confesó en su nota, que en ella no tenia parte alguna otra persona. Si Morillo fué arrojado en el norte, sus soldados eran Españoles. Aqui el ejército estaba compuesto de indígenas acostumbrados al clima, prácticos en los caminos y capaces de sufrir las privaciones que son insoportables á los Européos. Consultó Colombia su propia seguridad, sin gastos, sin peligros, sin menoscabos: defendió su existencia en ajeno territorio, que es la mayor de las ventajas en la guerra. Rara vez las naciones prestan ausilios sin un interes inmediato, ó posible. El amor puro es una quimera entre los hombres y los pueblos. Inglaterra derramó copiosos socorros en la España, cuando fué asaltada por Napoleon. ¿Que hubiera sido de Inglaterra, si España sucumbe? La España y la Francia protejiéron á la América del Norte en su santa lucha. ¿Quien no vé que á estas dos potencias convenia minorar el engrandecimiento de una nacion que, dueña de los mares, podia dar la ley en el Continente? Mas palpables eran las causas que inducian á Colombia á no desentenderse de la reconquista, que pudieron haber verificado los Españoles el año de veinte y cuatro.

2.ª Desempeñada mi primera proposicion la segunda se califica con el mismo documento, que con admirable impudencia se ha impreso en Bogotá. Léanse con asombro las condiciones con que pasaron las tropas de Colombia al Perú.

CONVENIO

Ajustado entre el Jeneral Juan Paz del Castillo por parte de la república de Colombia, i el Jeneral Don Mariano Portocarrero por parte de la república del Perú, sobre el envío de las tropas ausiliares á esta, sobre su pago, equipo i permanencia en dicho Estado.

1.° La república de Colombia ausiliará con 6000 hombres

ly disciplined; they depended on the treasures of Upper and Lower Peru; they could fill their ranks; the merchants of Cadiz would assist them, in order not to lose forever the trade which had enriched them. Was Colombia able to make any resistance in its southern departments? Certainly not. The proof is historical. The victory of Pichincha, which established its independence, was owing to the Peruvian troops. General Santa Cruz covered himself there with glory, and Bolivar himself confessed to him in his note, that no other person had any share in it. If Morillo was overthrown in the north, his soldiers were Spaniards. Here the army was composed of natives, accustomed to the climate, experienced in the roads, and capable of enduring those privations which are insupportable to Europeans. Colombia consulted its own security, without expense, without perils, without losses. It defended its existence in a foreign territory, which is the greatest advantage in war. Seldom do nations lend assistance without an immediate or possible interest. Pure love is a chimera between men and nations. England poured powerful succours into Spain when she was invaded by Napoleon. What would have become of England, if Spain had yielded? Spain and France protected North America in her holy struggle. Who does not perceive that it was for the interest of those two powers to diminish the aggrandisement of a nation, which, being mistress of the seas, might rule on the continent? The causes which induced Colombia not to overlook the reconquest which the Spaniards might have accomplished in the year twenty four, were more palpable.

2d. My first proposition having been proved, the second is confirmed by the very document which with wonderful impudence has been published in Bogotá. Let the conditions on which the troops passed from Colombia to Peru be read with astonishment.

CONVENTION

Agreed upon between General Juan Paz del Castillo on the part of the republic of Colombia, and General Don Mariano Portocarrero on the part of the republic of Peru, upon sending auxiliary troops to the latter, their pay, equipment and residence in that State.

1st. The republic of Colombia shall assist that of Peru with

á la república del Perú i con cuantas fuerzas disponibles tenga segun las circunstancias.

2. ° El gobierno del Perú se obliga á satisfacer á la república de Colombia todos los costos del trasporte de estas tropas á su territorio.

3. ° El gobierno del Perú se obliga á pagar á los jenerales, jefes, i oficiales de Colombia los sueldos que se pagan á los de sus clases en el Perú, segun el reglamento de sueldos de aquel Estado.

4. ° Las tropas de Colombia en guarnicion disfrutarán la paga de diez pesos mensuales por plaza, descontándose de estas el rancho i vestuario. Este descuento se les hará en sus cuerpos respectivos; pero en campaña gozarán de los diez pesos íntegros, i el gobierno del Perú les dará raciones i vestuarios sin descuento alguno.

5. ° El equipo del ejército de Colombia será por cuenta del gobierno del Perú, lo mismo que la reposicion de las armas, i composiciones i reparos de estas mismas.

6. ° El ejército de Colombia será provisto de las municiones que le corresponden en campaña, cualquiera que sea su actitud, i recibirá tambien las que pida para su instruccion.

7. ° Los jenerales i jefes recibirán del gobierno del Perú los caballos de ordenanza para el servicio.

8. ° Para las marchas se dará al ejército de Colombia los bagajes de ordenanza, desde el jeneral hasta el soldado.

9. ° *Siendo mui costoso i difícil que Colombia llene las bajas de su ejército en el Perú con remplazos enviados de su territorio, el gobierno del Perú se obliga á remplazarlas numéricamente, sea cual fuere la causa de estas bajas. Estos remplazos se darán como vayan ocurriendo las bajas; pues de otro modo, el ejército de Colombia no podia contar con la fuerza necesaria para obrar.*

10. ° *Los gastos del ejército de Colombia para volver á su territorio serán satisfechos por el gobierno del Perú.*

11. ° *Los buques de guerra de la marina de Colombia serán tratados en el Perú como los buques de guerra de aquella República siempre que estén á su servicio.*

Autorizados plenamente los contrantantes por nuestros gobiernos respectivos, hemos convenido, previos los requisitos legales

6000 men, and with all the disposible forces she may have according to circumstances.

2d. The government of Peru obliges itself to pay to the republic of Colombia all the cost of transports of these troops to its territory.

3d. The government of Peru obliges itself to pay to the generals, staff, and other officers of Colombia, the pay which is allowed to those of their class in Peru, according to the regulations of the pay roll in that State.

4th. The troops of Colombia in garrison shall enjoy the pay of ten dollars monthly each soldier, discounting from these the rations and clothing. This discount shall be made out of their respective corps; but in the field they shall enjoy the ten dollars in full, and the government of Peru shall give them rations and clothing without any discount.

5th. The equipment of the army of Colombia shall be on account of the government of Peru, as also the replacing of the arms, refitting and repairs of the same.

6th. The army of Colombia shall be provided with the provisions and ammunition corresponding to it in the field, whatever their aptitude may be, and shall also receive those that they may ask for their instruction.

7th. The generals and staff officers shall receive from the government of Peru the horses of ordinance for the service.

8th. For the marches the baggage of ordinance shall be given to the army of Colombia, from the general to the soldier.

9th. *It being very expensive and difficult for Colombia to fill the ranks of her army with substitutes sent from her territory, the government of Peru obliges itself to replace them numerically, let what the cause of these vacancies may be. These substitutes shall be furnished as fast as the vacancies shall take place; for, otherwise the army of Colombia could not rely on the necessary force to act.*

10th. *The expenses of the army of Colombia to return to their territory shall be paid by the government of Peru.*

11th. *The vessels of war of the navy of Colombia shall be treated in Peru as the vessels of war of that republic, whenever they shall be in its service.*

We, the contracting parties, being fully authorized by our respective governments, have agreed, the legal requisites having first been observed, to the eleven foregoing articles contained in the

en los once artículos anteriores que tiene el presente convenio, i firmamos dos de un tenor en Guayaquil á 18 de Marzo de 1823—XIII. de la república de Colombia, i IV. de la república del Perú.—Juan Paz Del Castillo; Mariano Portocarrero; *José D. Espinar*, secretario; *Manuel de la Vega*, secretario de la mision.

Que tropas fuéron estas? ¿ Ausiliares? No: fuéron ūnos Suizos comprados, y en caro precio. Si se les pagaban sus sueldos, se vestian y equipaban, no se les debian dar bajas. Ellos entráron en el Perú desnudos, descalzos, y los oficiales mismos con menos decencia, que la que tienen nuestros últimos soldados. ¿ Cual fué el número? ¿ Fué veinte mil, como se ha supuesto? No; infelices de nosotros, si eso hubiera sido verdad. No llegáron á siete. Mi gobierno hará imprimir y publicar las listas que acrediten el verdadero número.

Conociéndo mui bien lo gravoso de las condiciones, se dice, que el Perú dió el ejemplo, cuando pasáron nuestras tropas á Pichincha: que se estipuláron entónces artículos mas rigorosos, con los que se cumplió exáctamente. No se documentará un hecho tan notóriamente falso. Nuestro ejército estuvo sostenido á su costa. Una camisa, un zapato no se recibió de Colombia. Se quiso con perfidia retenerlo, y casi fué precisa una batalla para que Santa-Cruz pudiese restituirlo á nuestro territorio. Pero supongamos, que nuestras tropas favoreciéron á Colombia con los mismos pactos. ¿ Que resultaria? Que ni nosotros, ni ellos, nos hemos servido con generosidad. Mas, no es asi. La prodigalidad en el peruano es tan escesiva, que viene á ser un vicio.

3. ° Y cuando hubieran habido grandes, nobles, y desinteresados servicios, el Perú no los ha recompenasado? Cuanto escribo consta de papeles oficiales impresos en el tiempo del gobierno de Bolívar y por órden de Bolívar. (4) Pongo ademas por testigos, villas, ciudades y provincias. Las alhajas preciosas obsequiadas á ese jeneral valen mas de dos cientos mil pesos. Los gastos en su persona pasan de trescientos mil.

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(4) Nada se imprimia en el Perú en el gobierno del Dictador que no fuese con su consentimiento.

aforegoing convention, and we sign two of the same tenor in Guayaquil the 18th March, 1823—XIIIth of the republic of Colombia, and IVth of the Republic of Peru.—JUAN PAZ DEL CASTILLO;—MARIANO PORTOCARRERO:—*José D. Espinar*, Secretary; *Manuel de la Vega*, Secretary of the Mission.

What troops were these? Auxiliaries? No. They were some Swiss, bought and at a high price. If they were paid their wages, clothed and equipped, they were not to receive substitutes. They entered Peru naked, barefooted, and the officers even with less decency than that of our lowest soldiers. What was the number? Was it twenty thousand, as has been supposed? No: alas for us had this been the truth: they did not amount to seven. My government will cause the lists which show the true number, to be printed and published.

Knowing very well how heavy the conditions were, it is said, that Peru gave the example, when our troops passed to Pichincha: that then more rigorous articles were stipulated, which were exactly fulfilled. A fact so notoriously false will not be noticed. Our army was supported at its own expense. It did not receive a shirt nor a shoe from Colombia. They wished perfidiously to detain it, and a battle was almost necessary in order that Santa-Cruz might restore it to our territory. But let us suppose, that our troops did favor Colombia with the same contracts? What would be the result? That neither we nor they have treated each other generously. But it is not so. Prodigality in the Peruvian is carried to such an excess, that it becomes a vice.

3d. And although there should have been great, noble, and disinterested services, has not Peru rewarded them? Whatever I write, appears by official papers printed in the time of the government of Bolivar and by order of Bolivar. (4) I call to witness, besides, towns, cities, and provinces. The precious jewels presented to that General are worth more than two hundred thousand dollars. The expenses on his person exceed three hundred thousand. One million presented to his country Caraccas; one million to the troops as a reward for the battle of Ayacucho; and separately two hundred thousand dollars to Sucre; another million for the siege of Callao. In these gratuities were

(4) Nothing was printed in Peru during the government of the Dictator without his consent.

Un million dedicado á su patria, Carácas; un millon á las tropas por premio de la batalla de Ayacucho; y por separado doscientos mil pesos á Sucre; otro millon por el sitio del Callao. En estas gratificaciones fuéron comprendidos jenerales, que nunca estuviéron en el Perú; como Carreño, y Paz del Castillo, y otros que huyéron siempre de las balas, como Peres y Heres. El equipage de cada uno de los jenerales que ha estado en el Perú, escede de veinte y cinco mil pesos; y no hay algun oficial de la última graduacion, que no haya formado una fortuna suficiente para mantenerse toda su vida, sin los riesgos de la guerra, en el caso de no disiparla en vicios. Esta parte toca á los caudales, que los peruanos por un orgullo imprescindible vemos con desprecio: procedo á lo mas interesante.

Bolívar nos ha estraido seis mil soldados peruanos abusando de la condicion del tratado. Podria decirse, que habia duplícado sus fuerzas. No pronuncio una palabra, que carezca de sentidó. *Podria decirse, que duplicó sus fuerzas.* ¿No es asi? El conocia mui bien, que nuestros soldados acostumbrados, muchos de ellos al temperamento de las sierras, no podian resistir al escesivo calor de algunos departamentos de Colombia. Bolívar no queria aprovecharse de ellos, sino debilitar el Perú. Napoleon se propuso sacar á la juventud española de la península, y remitirla al norte. Este era el libro, que estudiaba el nuevo Napoleon. Me hallaba de plenipotenciario en Panamá, cuando pasaron estos infelices destinados á la muerte. Hubiera querido que pereciesen en alguna distancia, y no presenciar sus padecimientos. En el hospital muriéron mas de seiscientos. ¡Hospital! Sitio destinado para hacer las enfermedades mas pequeñas mortales por el abandono, la falta de asistencia y medicinas, la asqueroidad del lugar. Si esto horroriza, cuales serán los afectos de las almas sensibles, al oir, que un crecido número de inocentes falleció con los ardores del sol, en el infernal tránsito de Panamá á Porto-Belo. Sus cuerpos abandonados á las aves carnivoras les sirviéron por muchos dias de sustento. Condujeron las tropas tres vestuarios, las mejores armas, y las bandas de música mas diestras. Todo lo heredáron en Colombia.

included generals, who were never in Peru, as Carreño, and Paz del Castillo, and others, who always fled from cannon balls as Peres and Heres. The equipage of each one of the generals who has been in Peru exceeds twenty five thousand dollars, and there is no officer of the lowest grade who has not made a fortune sufficient to maintain himself all his life, without the hazards of war, in case he should not dissipate it in vices. This part relates to property, which we Peruvians regard with contempt, from an innate pride. I proceed to what is more interesting.

Bolivar has taken from us six thousand Peruvian soldiers, abusing the conditions of the treaty. It might be said, that he had doubled his forces. I do not pronounce one syllable, without meaning. *It might be said, that he doubled his forces.* Is it not so? He knew very well that our soldiers, accustomed many of them to the temperature of the mountains, could not resist the excessive heat of some of the departments of Colombia. Bolivar did not wish to avail himself of them, but to weaken Peru. Napoleon intended to withdraw the Spanish youth from the peninsula and send them to the North. This was the book which the new Napoleon studied. I was Plenipotentiary in Panamá, when these unfortunate beings passed, destined to death. I should have wished that they had perished at some distance, and not to have witnessed their sufferings. More than six hundred died in the hospital. Hospital! A place destined to render the slightest diseases mortal, by the neglect, the want of assistance and medicines, the loathsomeness of the place. If this causes horror, what will be the feelings of souls possessed of sensibility, on hearing that a large number of innocent beings perished from the heat of the sun, in the infernal passage from Panamá to Porto Bello. Their bodies, abandoned to birds of prey, served as food for them for many days. The troops carried three suits of clothes, the best arms, and the most skilful bands of music. They kept the whole in Colombia.

Let it be decided dispassionately. Had the Peruvians anything to be grateful for? As to gratitude; did not the reward exceed the service? Let us examine now the deeds of war. General Bolivar who intended to succeed the Spaniards in ruling, had arranged and concerted things in such a manner, that the forces of Peru should be diminished, and that it should be necessary to avail itself of those of Colombia. It is evident, that after the bat-

Decídase sin pasion; ¿Tuviéron los Peruanos que agradecer? En caso de agradecimiento; ¿no escedió la recompensa al servicio? Examinemos ahora las acciones de guerra. El Jeneral Bolívar que se propuso succeder á los Españoles en la dominacion, habia dispuesto y combinado las cosas de modo, que las fuerzas del Perú se disminuyesen, y fuese preciso valerse de las de Colombia. Es evidente, que despues de la batalla de Pichincha pasó al Perú el jeneral Paz del Castillo con una division. Pero se oculta que habiendo propuesto condiciones, no solo gravosas sino degradantes, no habiendo sido posible acceder á ellas, se retiró abandonándonos en las circunstancias mas críticas, y en el lance propio en que hubiéramos concluido con los Españoles, reunidas nuestras fuerzas mui superiores á las de ellos. Tambien se silencia, que la derrota que sufrió en el sud nuestro ejército fué causada por el jeneral Sucre. Cuando debia haber obrado de acuerdo con Santa-Cruz, lo desamparó é hizo que se perdiese la division mas numerosa y mejor equipada que tuvo el Perú. Con estos datos y quedando asentado, que nuestras desgracias fuéron dispuestas por los mismos ausiliares, con el depravado intento de esclavizarnos, presentemos en toda su luz las batallas de Junin y Ayacucho, que Bolívar quiere atribuir esclusívamente á los Colombianos.

En la primera, nadie negará que la accion estuvo perdida; que los Colombianos volviéron caras, y Bolívar corrió y se puso en salvo. Los peruanos por sí solos cantáron la victoria. Asi es que á nuestros bravos les dió el título de Húsares de Junin el mismo jeneral. Salga esta partida de la cuenta, porque si sus tropas tuviéron alguna parte, fué únicamente pasiva.

En la batalla de Ayacucho, la gloria del triunfo se le ha apropiado á Sucre. No traigamos á consideracion al jeneral Bolívar. Desde que conoció este, que era indispensable una accion general mui comprometida, se puso en Lima en seguridad, á las ciento cincuenta leguas de distancia, y con un buque pronto en el Chorrillo (5) para el caso en que el éxito fuese desgraciado. ¿Y fué Sucre el vencedor? Los peruanos son

(5) Puerto, dos leguas de Lima.

tle of Pichincha, General Paz del Castillo passed into Peru with a division. But it is concealed that having proposed conditions, not only oppressive but degrading, it having been impossible to accede to them, he withdrew, abandoning us in the most critical circumstances, and at the very juncture in which we should have put an end to the Spaniards, our forces which were very superior being joined with theirs. It is also kept secret that the defeat which our army experienced in the south was occasioned by General Sucre. When he ought to have acted in concert with Santa Cruz he abandoned him and caused the loss of the most numerous and best equipped division which Peru had. With these data, and it being settled that our misfortunes were preconcerted by our auxiliaries themselves, with the base intention of enslaving us, let us present to view in their brightest light, the battles of Junin and Ayacucho, which Bolivar wishes to attribute exclusively to the Colombians.

In the former no one will deny that the battle was lost, that the Colombians turned their backs, and Bolivar fled and placed himself in safety. The Peruvians gained the victory by themselves alone. Thus it is that the General himself gave our brave soldiers the title of *Hussars of Junin*. Let this item be extracted from the account, for if his troops had any share in it, it was solely passive.

In the battle of Ayacucho the glory of the victory has been ascribed to Sucre. Let us not bring into view General Bolivar. As soon as the latter knew, that a general action, of very doubtful issue, was inevitable, he placed himself in safety in Lima, at the distance of one hundred and fifty leagues, and with a vessel ready in Chorrillo (5) in case the issue should be unfortunate. And was Sucre the victor? The Peruvians are so modest that this quality injures them on many occasions. They have consented that the names of La-Mar, Santa-Cruz, and Gamarra, should remain in silence. Let the Spanish generals who were there decide this question. Señor Monet, who was my friend even in the old government, assured me that the Colombians took the posts of least danger, and that our chiefs were seen among the fire and balls, wishing to distinguish themselves by their own valor, and not to owe their liberty to strangers. Is the epithet

(5) A port two leagues from Lima.

tan moderados, que esta calidad les perjudica en muchas ocasiones. Ellos han consentido, que se silencien los nombres de La-Mar, Santa-Cruz, y Gamarra. Esta cuestion que la decidan los jenerales españoles que estuviéron allí. A mí, el Señor Monet, que fué mi amigo aun en el antiguo gobierno, me aseguró que los Colombianos tomaron los puntos menos riesgosos, y que nuestros jefes se veian entre el fuego y las balas, queriéndose distinguir por sí solos, y no deber la libertad á estranjeros. Se nos rotula ingratos : cuando no hubiera otro hecho en muestro favor que él que repito, él solo era bastante para que se conociese la nobleza y verdadera generosidad de nuestras almas.

Esta contestacion, fundada en datos evidentes, destruye el prólogo vago y despreciable del manifiesto. No ha habido ingratitud. Contraigámonos á los cargos en el mismo órden que aparecen. Examinemos las provocaciones, insultos, ultrajes.

1.° Que seducímos las tropas que dejó de guarnicion en el Perú para que negasen la obediencia á sus jefes, y se desprendiesen de ellos, ¡ Que sensible me es, que al ilustrar á las naciones sobre hechos tan circunstanciados, he de tener que descubrir las manchas de algunos de mis compatriotas ! No puedo prescindir ; omitiré sí, los nombres.

¿ Quien habrá que no convenga conmigo en esta proposicion ? *Al otro dia de la batalla y capitulacion de Ayacucho, el Jeneral Bolívar debió despedirse con sus tropas, y dejar libres á los peruanos, para que se gobernaren conforme á la constitucion que ya tenian.* No fué asi : hace reunir el congreso, que habia suspendido sus sesiones, cuando lo nombró Dictador ; congreso que no era compuesto de verdaderos representantes de la nacion, como lo ha manifestado hasta la evidencia el gran mariscal Riva-Agüero. Obráron disputas sobre la lejitimidad ó ilejitimidad de esos diputados ; lo que sé es, que corrompidos con empleos, promesas, y dádiras le prorogáron la Dictadura, esa potestad tremenda, que habia ejercido hasta entonces con el motivo de la guerra. Ignoro que tambien solicitaren la permanencia de las tropas. Me remito en esta parte á lo que esponga mi gobierno con vista de las actas (6). Solo una asambléa comprada pre-

(6) Bolívar habia adquirido una grande ascendencia en los pri-

of ungrateful affixed to us! Although there were no other fact in our favor, than that which I have repeated, that alone would be sufficient to evince the nobleness and true generosity of our souls.

This answer, founded on evident data, destroys the vague and despicable preface to the manifesto. There has been no ingratitude. Let us confine ourselves to the charges in the same order in which they appear. Let us examine the provocations, insults, outrages.

1st. That we corrupted the troops which he left as a garrison in Peru, that they might refuse obedience to their chiefs and detach themselves from them. How painful it is to me, that in enlightening nations concerning facts so circumstantial I am obliged to discover the blemishes of some of my fellow countrymen. I cannot avoid it: but I will indeed omit names.

Who is there, that will not agree with me in this proposition. *The day after the battle and capitulation of Ayacucho, General Bolivar ought to have withdrawn with his troops, and left the Peruvians free, that they might govern themselves agreeably to the Constitution, which they had already.* It was not so: he caused the congress to reässemble which had suspended its sessions, when they appointed him Dictator; a Congress which was not composed of true representatives of the nation as the Grand Marshal Riva-Agüero has proved to demonstration. Leaving all disputes concerning the legitimacy or illegitimacy of these deputies, what I know is, that corrupted by offices, promises, and bribes, they prorogued to him the Dictatorship, that tremendous power, which he had exercised until then on account of the war. I am ignorant whether they also solicited the continuance of the troops. I refer on this particular to what my government may declare on inspection of the acts. (6) A bribed assembly alone, would solicit

(6) Bolivar had obtained a great ascendancy among the literati, and some of the military. He never had the people on his side. The latter detested the Colombians more than the Spaniards. I am persuaded that the sound part of a nation is that which has no ambitious views. Man acts always from interested motives. He who does not seek offices, alone endeavours to secure his liberty. Bolivar in the path of conquerors, has only conformed himself to their maxims. To secure a party where he wishes to rule. Indif-

tenderia, que guarniciones estranjeras continuasen en el Estado. Es un hecho sin ejemplo. España ha sido guarnecida por los franceses, pero fué por que España estaba dividida entre bandos y el rey necesitaba estranjeros para sostenerse en su absolutismo. Los traidores del proyecto, si acaso es verdad, pues repito, que lo dudo, fuéron iguales á los españoles que se conbinaron con Napoleon. Ellos serán tenidos por infames entre nosotros, y detestados sus nombres. Esta circunstancia no varía la injusticia de la decision: por el contrario la aumenta. Patentiza que el usurpador se valió de los medios mas abominables para conseguir sus ambiciosos fines.

No se escuse, suponiendo que estábamos en anarquía. De las dos personas, que habian disputado la presidencia, el uno que era el Marques de Torre-Tagle, se hallaba con los Españoles, el otro que era el benemérito jeneral Riva-Agüero estaba espatriado por el mismo Dictador. Todos los votos eran conformes en nombrar á Bolívar, presidente, pero presidente constitucional, y nada mas que presidente. El sí, es un ingrato; pues no se allanó á lo que podiamos darle, sin perder nuestra libertad é independencia. Ahora accedamos por un momento á que era de temerse la anarquía. Aun concediendo en que hubiesen los signos mas infalibles de anarquía; ¿Quien constituyó nuestro tutor, maestro, ó juez á este estranjero? No falta quien disculpe ahora la invasion diciendo, que pasa á poner en

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meros literatos, y en algunos militares. Jamas tuvo de su parte al pueblo. Ha odiado este mas á los Colombianos que á los Españoles. Estoy persuadido que la parte sana de una nacion, es la que no tiene aspiraciones. El hombre obra siempre por interes. El que no asecha los empleos, solo procura asegurar su libertad. Bolívar en la senda de los conquistadores, no ha hecho sino sujetarse á sus máximas. Asegurar un partido donde quiere dominar. Indiferente ántes á la religion, ya cierra este flanco. En Colombia ha revocado los decretos que estinguian ó limitaban los conventos. El parece querer imitar el ministerio que fué de Francia, valiéndose de los jesuitas para el absolutismo. Aumenta tambien el ejército hasta cuarenta mil hombres. Soldados y monjes, buenos recursos contra la libertad ahora dos siglos. ¡Y como sostiene cuarenta mil hombres! Alguno, por conmiseracion, debió advertirle, que se ponia en ridículo—*Gacetas de Bogotá de 27 de Julio y de Agosto.*

that foreign garrisons should remain in the state. It is an unexampled fact. Spain was garrisoned by the French, but it was because Spain was divided into three factions and the king required foreign troops in order to maintain his absolutism. The traitors of the project, if perchance it be true, for I repeat that I doubt it, were equal to the Spaniards who leagued with Napoleon. They will be considered as infamous among us, and their names will be detested. This circumstance does not alter the injustice of the deed; on the contrary it increases it. It proves that the usurper availed himself of the most abominable means to obtain his ambitious ends.

Let him not be excused, on the supposition that we were in a state of anarchy. Of the two persons who had disputed the Presidency, one, who was the Marquis of Torre-Tagle, was with the Spaniards, the other, who was the meritorious General Riva-Agüero, was expatriated by the same Dictator: All the votes united in electing Bolivar, President; but a constitutional President, and nothing more than President. He, indeed, is an ingrate, because he did not conform his desires to what we could give him, without losing our liberty and independence. Let us grant now for a moment, that anarchy was to be feared. Even allowing that there were the most infallible signs of anarchy. Who constituted this foreigner our guardian, master, or judge? There are not wanting those who palliate now the invasion; saying, that he goes to restore peace and tranquillity to these distant nations. New discoveries are daily made in the sciences: this is one in the public law. *A private individual of a foreign nation has the power of going with an army to regulate another.* It is a natural inference from what has been stated, that, even although the Peruvians had endeavoured to persuade the Colombian troops, to throw off the unjust load which oppressed them, there was no

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ferent before to religion, he is now guarding himself on that score. In Colombia he has revoked the decrees which abolished or limited Convents. This looks like imitating the late ministry of France, availing themselves of the Jesuits for absolutism. He increases also the army to forty thousand men. Soldiers and monks, good resources against liberty two centuries ago. And how will he support forty thousand men! Some one, through pity, ought to have observed to him, that he made himself ridiculous. *Gazettes of Bogotá of the 27th July and 10th of August.*

paz y tranquilidad esas distantes gentes. Cada dia se hacen nuevos descubrimientos en las ciencias : este es uno en el derecho público. *Un particular individuo de una nacion estrangera, tiene potestad de pasar con un ejército á arreglar otra.* Es una consecuencia natural de lo espuesto, que aun cuando los peruanos hubieran tratado de seducir las tropas colombianas, para quitar de sí el injusto peso que los gravaba, no faltaban en ello á la justicia. Con fraude se habian guarnecido nuestras plazas, con fraude podiamos arrojar las guarniciones. Mas no fué asi. Aqui comienza mi historia. A mi regreso de Panamá me descubrió Bolívar en Guayaquil todos sus planes. Ya para mí eran notorios despues que leí su constitucion y la *Ojeada* que era el papel de apología : el mismo me habia remitido estas piezas. Mi ánimo fué ó morir, ó destrozar, y poner en tierra la estatua del nuevo ídolo. Desde el momento que llegué á Lima esparcí mis ideas por el pueblo. Ellas tuviéron la mas feliz acojida : mis sentimientos eran los generales en la parte sana. Aunque mis designios se hacian mui públicos, y Heres instaba por mi inmediata espatriacion (7), sus compañeros respetaban mi persona. Esto me animó á oponerme directamente y bajo de mi firma á la publicacion de la constitucion Boliviana (8). No pude impedir aquel acto; pero valiéndome del carácter de presidente de la corte suprema, en la arenga que habia de pronunciar el dia de la publicacion, dí á conocer al pueblo sus derechos, y lo preparé para unirse á mi mui meditada determinacion (9). Habiendo observado, que ni el movimiento popular de aquel dia en mi favor, ni alguno de mis pasos tenian una abierta oposicion en el gobierno, me atreví á solicitar una audiencia secreta del Jeneral Santa-Cruz, que era el presidente del consejo. Me la concedió, y sin detenerme en el peligro, le descubrí todo mi corazon. Este es uno de aquellos casos en que es preciso arriesgar la propia vida por salvar la de la patria. Por fortuna, Santa-Cruz era ajitado por un entusiasmo patriótico el mas noble. Algunos pequeños escrúpulos de delicadeza hubo que vencer. Al fin

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(7) Era uno de los miembros del consejo de gobierno.

(8) Se agrega este papel como prueba. (*Véase el Apéndice.*)

(9) Tambien se halla al fin esta pieza. (*idem, idem.*)

injustice in it. Our places had been garrisoned by artifice, by artifice might we expel the garrisons. But it was not so. Here begins my history. On my return from Panamá, Bolivar discovered to me in Guayaquil all his plans. They were already well known to me after I read his constitution and *la ojeada* (coup d'œil), which was the document of apology: he had sent me these documents himself. My resolution was to die or to destroy and throw down the statue of the new idol. From the moment that I arrived in Lima I spread my ideas among the people. They met with the happiest reception: my sentiments were the prevailing ones in the sound part of the country. Although my designs were made very public, and Heres urged my immediate expatriation, (7) his companions respected my person. This encouraged me to oppose myself directly and under my signature to the publication of the Bolivian Constitution. (8) I could not prevent that act; but availing myself of the character of President of the Supreme Court, in the speech which I was to deliver on the day of its publication, I made known to the people their rights, and prepared them to unite with me in my very deeply meditated determination. (9) Having observed, that neither the popular feeling of that day in my favor, nor any of my steps met with an open opposition from the government, I dared to solicit a private interview with the General Santa-Cruz, who was the president of the council. He granted it to me, and without regarding the danger, I discovered to him my whole heart. This is one of those cases, in which it is necessary to risk one's own life to save that of the country. Fortunately, Santa-Cruz was agitated by the most noble, patriotic enthusiasm. He had to overcome some slight scruples of delicacy. Finally he determines to restore the foreign troops to their nation with the greatest decorum, and to call a legitimate Congress to decide the fate of Peru.

This was the state of things, when the Colombian troops, of themselves, made their revolution. Their object was not in favor of Peru. They reünited to swear to their charter, which Bolivar wished to abolish; and in effect they secured the chiefs,

(7) He was one of the members of the council of government.

(8) This document is added as a testimony. (*See Appendix.*)

(9) This document is also found at the end. (*idem, idem.*)

se determina á restituir á su nacion las tropas estranjeras con el mayor decoro y convocar un congreso lejítimo, que decidiese de la suerte del Perú.

Este era el estado de las cosas, cuando las tropas de Colombia, por sí solas, hiciéron su revolucion. Su objeto no fué en favor del Perú, ellos se reuniéron para jurar su Carta, que Bolívar queria derogar; y al efecto aseguráron á los jefes, que contemplaban de acuerdo con el tirano. Bien le consta esta verdad; asi es, que en su manifiesto no da prueba ninguna de que fuesen seducidos por nosotros, y únicamente ocurre á la presuncion, de no ser posible, que tropas acostumbradas á la mas rigorosa disciplina, hubieran procedido á un acto tan impropio sin nuestra direccion. El argumento debia formarlo de otro modo, y seria arreglado y justo. Tropas que se educaron defendiendo la libertad é independencia, no podian tomar con gusto el carácter de cómplices de la tiranía. Crea el mundo entero, que ningun dia fué para mí mas penoso, que él de esa conmocion. Hubiera querido despedir las tropas colombianas de un modo mui diverso.

De ese primer cargo resulta el segundo; que embarcamos las tropas con la mayor prontitud, sin esperar al jeneral que se habia pedido á Colombia. Esta acusacion debe recaer directamente contra mí. Toda fué obra mia, como ministro de estado y relaciones esteriores, que era por entonces. Es constante, que se escribió á Colombia, para que mandase un jeneral que se hiciese cargo de aquel cuerpo; pero tambien lo es, que fué preciso llamáramos algunos de nuestros batallones y escuadrones que estaban en las provincias á la capital, porque cada dia amagaba una contra-revolucion en los cuarteles colombianos. El ajente Armero, y una célebre muger, nombrada *la Manuela*, no cesaban de trabajar con los soldados para unirlos en contra de nuestro sistema. Habiamos de esponernos á vernos acometidos por el Sud por Sucre, por el Norte por el jeneral Flores ú otro, y en la misma capital por una division numerosa? Aunque á los ministros que hemos servido despues de aquella fecha, se nos llama *incapaces,* supimos mui bien asegurar nuestro gobierno, y salvarlo de inicuos proyectos. En el alto Perú, por el Español Infante que se decia ministro de estado, se escribia del modo mas insultante y atrevido. En

whom they considered as in concert with the tyrant. He knows this truth well; thence it is, that in his manifesto, he gives no proof that they were corrupted by us, and has recourse to the presumption of its being impossible, that troops accustomed to the most rigorous discipline, should have proceeded to an act so improper, without our direction. The argument ought to have been formed in a different way, and it would be reasonable and just. Troops who were educated in the defence of liberty and independence could not assume with pleasure the character of accomplices in tyranny. Let the whole world believe, that no day was ever more painful to me, than that of this rebellion. I should have wished to have removed the Colombian troops in a very different manner.

From this first charge results the second; that we embarked the troops with the greatest expedition, without waiting for the general, who had been requested of Colombia. This accusation must rest directly on me. All was my work, as Minister of State, and of Foreign Relations, which I was at that time. It is true, that we wrote to Colombia, to send a general who should take charge of that body; but it is also true, that it was necessary for us to order some of our battalions and squadrons who were in the interior to the capital, because every day threatened a counter revolution in the Colombian quarters. The agent Armero, and a celebrated woman named *la Manuela* labored incessantly in endeavoring to unite the soldiers against our system. Ought we to have exposed ourselves to be attacked in the south by Sucre, in the north by General Flores or some other, and in our own capital by a numerous division? Although, we the ministers who have served since that date, are called *incapable*, we knew very well how to protect our government. In Upper Peru the Spaniard Infante, who called himself Minister of State, wrote in the most bold and insulting style. In Guayaquil every paper was a proclamation against our policy. We should deserve the disgraceful epithet of *incapable*, if we had not taken in season the most serious measures for defending ourselves. Sucre at that time sent General Córdoba to put himself at the head of the division. He arrived the day after the embarkation, and hesitated not to say, *my arrival is too late and to no purpose*. Many officers, sent by Bolivar to increase the garrison he had left with

Guayaquil cada papel era una proclama contra nuestra política. Mereceríamos el ruin título de *incapaces*, si no hubiésemos en tiempo tomado las medidas mas sérias para asegurarnos. Sucre en el acto remitió al Jeneral Córdoba para ponerse á la cabeza de la division. Arrivó un dia despues de embarcada, y no tuvo embaraso en decir, *mi llegada es ya tarde y sin efecto*. Tambien abordáron muchos oficiales remitidos por Bolívar, para aumentar la guarnicion que nos habia dejado: á estos tampoco consentí desembarcar.

El que habla delante de todos los pueblos debe meditar con mucha cordura sus espresiones. Un manifiesto se examina por hombres muy sabios en el derecho público y de gentes. Olvidemos, que las tropas permanecian en el Perú con el fin de subjugarlo; creamos que habia sido con el consentimiento general de la nacion. Debian ellas permanecer el tiempo que agradare á Colombia, ó él que hubiese á bien el estado que las solicitó? Para que se afirmase lo primero, era indispensable probar antes, que una potencia estranjera tenia derecho para mantener guarniciones en otra potencia independiente contra su voluntad. La historia de los tratados presenta algunos ejemplos, pero siempre fué precediendo para ello un tratado. Si no fuese asi, el estado guarnecido, ya no era libre, ni independiente, ya habia perdido su soberanía. Si era soberano, quedaba en su arbítrio devolver las tropas en el acto que no las necesitase. El mismo Bolívar confiesa que habian perdido la moral y la disciplina. ¿Y mantendríamos un solo instante entre nosotros esas tropas viciadas y no necesarias? Se les equipó perfectamente, como se habia hecho, con todas las que saliéron de nuestra república, y cerramos el puerto por tres dias, porque cada momento era un riesgo. ¿Y cual fué la conducta de esas tropas cuando llegáron á los puertos de Guayaquil? ¿Hiciéron algun movimiento, para que se agregase esa provincia al Perú? Es un arrojo, desfachatez, una impudencia suponerlo: lo contrario consta por notas públicas. Se pusiéron á disposicion de su gobierno, remitiéron un oficial al vice-presidente, se declaráron en favor de su constitucion y no mencionáron el Perú para nada. El tercer cargo es tan temerario como los anteriores.

Tocándose en los derechos sobre Guayaquil, téngase enten-

us, came also; neither would I consent that these should disembark.

He who speaks before all nations ought to weigh with much discretion his expressions. A manifesto is examined by men very learned in the public law and that of nations. Let us forget that the troops remained in Peru with the intention of subduing it. Let us believe that it was with the general consent of the nation. Ought they to have remained as long as Colombia chose, or as long as the State which solicited them thought expedient? In order to maintain the former, it would be indispensable to prove first, that a foreign power had a right to keep garrisons in another independent power without its consent. The history of treaties presents some examples of it, but a treaty always preceded. Were it not thus, the Sstate that was garrisoned was no longer free, nor independent, it had already lost its sovereignty. If it were sovereign, it was left to its pleasure to send back the troops as soon as it required them no longer. Bolivar himself confesses that they had lost their morality and discipline. And ought we to have kept for a single instant among us these corrupt and unnecessary troops? They were equipped completely, as all those had been who departed from our republic, and we closed the port for three days, because every moment was a risk.

And what was the conduct of these troops when they arrived in the ports of Guayaquil? Did they make any motion for that province to unite with Peru? It is audacity, effrontery, impudence to suppose it: the contrary appears from public accounts. They placed themselves at the disposal of their government, sent an officer to the vice-president, declared themselves in favor of the constitution, and did not mention Peru in any way. The third charge is as bold as the preceding. Concerning the claims on Guayaquil, let it be understood, that this department did not belong to Colombia at the time the Spanish government terminated. If in the new States, in order to avoid disputes, the *uti possidetis* was admitted, Guayaquil ought to have remained with Peru. This was the will of the majority of its inhabitants. They had commercial relations with us and the greatest advantage. They could not well expect any good from Colombia: taxes such as they have endured, and a terrible drawback in their speculations and negotiations. Colombia must necessarily oppress its departments. The amount of its

dido, que ese departamento no correspondia á Colombia al tiempo de finalizar el gobierno español. Si en los nuevos estados para evitar cuestiones, se admitia el *uti possidetis*, Guayaquil debia quedar al Perú. Esta fué la voluntad de la mayor parte de sus habitantes. Con nosotros tenian relaciones de comercio y la mas grande utilidad. De Colombia no podian esperar bien ninguno: imposiciones, cuales han sufrido, y un atraso espantoso en sus jiros y negociaciones. Colombia por necesidad ha de oprimir á sus departamentos. El resultado de sus rentas es mui inferior al de sus gastos, aunque no sean estraordinarios y de capricho. Guayaquil sabia mui bien la diferencia y levantó nuestro pabellon. Bolívar violando el derecho de gentes suplantó él de Colombia. Todo esto se halla documentado. Con todo no me decidiria por la guerra para restaurar ese departamento. Lo racional era, que se le dejare en libertad para que se agregase á la república que eligiese, ó que formase por sí un estado separado. Yo no vario en mis princ pios.

En el acto que concluyó la dinastía de los Borbones, en las ántes llamadas colonias españolas, los pueblos quedáron en el estado de la naturaleza, y pudiéron elegir aquella forma de gobierno que mas les agradase. Pudiéron tambien proceder á aquellas asociaciones é incorporaciones, que tuviéron por mas provechosas. Es un error persuadirse, que porque ciertas provincias correspondian en un tiempo á Colombia ó al Perú, hoy hay un derecho para retenerlas contra su espresa voluntad. Buenos-Aires en esta parte ha dado el mayor ejemplo de moderacion. El Alto Perú habia sido agregado al rio de la Plata desde la fundacion del vireinato, en el reinado de Carlos III. Abascal lo unió al Bajo Perú por reconquista. Esta era su situacion al tiempo de concluir nuestra guerra con España. Sin embargo Buenos-Aires y nosotros estamos acordes, en que tome la forma de gobierno que le convenga, con tal que el acto sea voluntario, y no dependa de una co-accion estranjera; esta debe ser tambien la justa política con respecto á Guayaquil.

Desvanecidas todas las acusaciones referentes á la division esclavizadora, me será mui fácil responder de la órden que se ódi para que el ajente Armero dejase el pais. Si los hombres y los pueblos procediesen de buena fe, no habria ni pleitos,

revenue is much less than that of its expenses, although they should not be extraordinary and whimsical: Guayaquil knew very well the difference, and raised our flag. Bolivar, violating the right of nations, substituted that of Colombia. All this is found authentically recorded. However, I would not decide on war to recover this department. It were conformable to reason, that it should be left at liberty to unite itself with the republic which it should prefer, or form a separate State by itself. I do not vary in my principles.

At the time when the dynasty of the Bourbons ended in what were before called the Spanish colonies, the people remained in a state of nature, and could choose that form of government which pleased them most. They could also have recourse to those associations and incorporations, which they considered most advantageous. It is an error to believe that because certain provinces belonged at one time to Colombia or to Peru, there is any right now to retain them against their express will. Buenos Ayres in this respect has given the greatest example of moderation. Upper Peru had been united to River la Plata since the foundation of the viceroyalty in the reign of Charles III. Abascal united it to Lower-Peru by reconquest. This was its situation at the conclusion of our war with Spain. Nevertheless, Buenos Ayres and ourselves agree that it should take the form of government it may choose, provided the act be voluntary, and do not depend on any foreign coercion. This ought also to be the just policy in regard to Guayaquil.

Having removed all the accusations relating to the division sent to enslave, it will be very easy for me to account for the order which was given that the agent Armero should leave the country. If men and nations would conduct with good faith, there would be neither lawsuits nor wars. I have said that this agent did not cease to intrigue against our independence. As I was Minister, I sent for him one evening and spoke with him in a very serious manner. I do not know how this very particular scene has been omitted in the manifesto. I explained to him what ambassadors and plenipotentiaries were, their rights and duties in the countries where they were. I showed him that their privileges did not extend so far as to attempt anything against the forms of government in the places where they resided. I related many historical facts on that subject, which I now omit, in order not to expose myself again to be satirized as pedantic.

ni guerras. He dicho que ese ajente no cesaba de intrigar contra nuestra independencia. Hallándome de ministro lo llamé una tarde, y le hablé sobre ello de un modo mui sério. No sé como en el manifiesto se ha omitido esta circunstanciada scena. Le espliqué, lo que eran embajadores y plenipotenciarios, sus derechos y obligaciones en los paises en que se hallaban. Le hice ver que sus privilegios no se estendian hasta intentar contra las formas del gobierno en los lugares de su residencia. Le referí muchos casos históricos sobre esta materia, que ahora omito, porque no se renuvere la sátira de pedantería. Concluì asegurándole, que si no variaba en su conducta, el Perú tenia suficiente energía para escarmentarlo, y responder de las resultas. Como el Jeneral Flores reuniese tropas colombianas en Guayaquil y Cuenca, y amenazase con una invasion, diciendo, que solo esperaba la órden última de su gobierno, creció tanto la audacia de Armero, que tenia juntas en su casa de muchas personas adictas á Bolívar. El Presidente de la república dïó cuenta al congreso con hechos muy detallados, y en vista de ellos se decretó que se le despidiese.

¿Debiamos dar cuenta á Bogotá y esperar cuatro meses la contestacion? Una sola semana que hubiera permanecido causaria un daño irreparable. Y aun cuando no interviniesen motivos tan justos; ¿despedir á un ajente es fundamento legal para una guerra? Es sensible, que la ignorancia pueda producir consecuencias mui funestas. Recibir embajadores, plenipotenciarios, agentes, no es una obligacion perfecta de las naciones. Pueden negarse á ello sin cometer injusticia, y despedirlos, sin faltar á ningun derecho. La delicadeza, la urbanidad, la buena correspondencia arreglan los modos, pero estos modos no se han de respetar tanto, que por ellos se arriesguen los verdaderos intereses. El Jeneral Bolívar habrá soñado que es Luis XIV, y querrá que en satisfaccion levantemos un piramide en la casa que ocupaba Armero. ¡Armero! Un ajente con una tienda pública de comercio, y la vara de medir en la mano. ¡Que ministro público! Las naciones como los hombres pueden tener comunicaciones ó negarse á ellas. Se faltará á la armonía; esta no es una ofensa.

Por grados los ponderados agravios se hacen mas despreciables. Se agrega al catálogo de las injurias, no haber dado paso

I concluded by assuring him that if he did not change his conduct, Peru had sufficient energy to make an example of him and to answer for the consequences. As General Flores assembled Colombian troops in Guayaquil and Cuenca and threatened an invasion, the audacity of Armero increased to such a degree that he had meetings in his house of many persons devoted to Bolivar. The president of the republic represented it to congress with a minute statement of facts, and in consideration thereof, it was decreed that he should be dismissed.

Ought we to have sent information of it to Bogotá, and have waited four months for an answer? One single week that he should have remained would have caused an irreparable injury. And even although there had not been such just reasons, is the dismissal of an agent a legal ground for a war? It is to be lamented, that ignorance can produce very fatal consequences. To receive ambassadors, plenipotentiaries, and agents, is not a perfect obligation of nations. They can refuse it without committing injustice, and dismiss them without failing in any duty. Delicacy, urbanity, friendly correspondence, regulate the modes; but these modes are not to be respected so much as to endanger for them true interests. General Bolivar must have dreamed that he is Louis XIV, and wishes that as an atonement we should raise a pyramid in the house which Armero occupied. ARMERO! an agent who kept a public shop, with the yardstick in his hand. What a public minister! Nations like men can hold communications or refuse them. There may be a want of harmony; this is not an offence.

The exaggerated grievances become gradually more contemptible. To the catalogue of injuries is added that of not permitting two officers sent from Colombia to Upper Peru to pass through the centre of our Republic. The author of the Manifesto is worthy of pity. He is ignorant of the most common principles. It cannot be asked of any government, why it does not consent that any individuals should pass through the interior of the State. It would be madness to complain, because a proprietor did not allow free passage through his estate. How many requisites are indispensable in order to travel through Europe, if we except England! A very serious instance occurred recently with a French Ambassador, in one of the States possessed by Russia. Should we be prudent in consenting that agents, of whom we had certain evi-

por el centro de nuestra república á dos oficiales remitidos de Colombia al Alto Perú. El autor del manifiesto es digno de piedad. Ignora los principios mas comunes. A ningun gobierno se le puede preguntar, por que no consiente, que algunos individuos transiten por el interior del estado. Locura seria quejarse, de que un propietario no dejaba traficar libremente por su fundo. ¡ Cuantos requisitos son indispensables para viajar por la Europa, si esceptuamos la Inglaterra ! Es mui reciente un caso gravísimo con el embajador de Francia, en uno de los estados que posée la Rusia. ¿Seriamos prudentes en consentir, que internasen unos comisionados, de quienes nos constaba hasta la evidencia, que no traían otro objeto, que trastornar el órden y seducir contra nuestras legítimas instituciones? ¿Esto es ser enemigo de Colombia? Es precaverse de los artes de un aspirante que quiere coronarse en Colombia, en el Alto y Bajo Peru, en Buenos-Aires y Chile ! ! !

La organizacion de un ejército en nuestras fronteras se clasifica de agravio. En realidad es el mayor, no en contra de Colombia, sino de Bolívar. El hubiera querido que le dejásemos sus tropas en los puntos mas cercanos á nuestro norte; que sufriésemos las amenazas é insultos del Jeneral Flores en Guayaquil, y del español Infante en el Alto Perú; que le preparásemos víveres, bagages, y cuarteles; que le dispusiésemos un triunfo en cada ciudad, y despues nos arrojásemas á sus pies, o freciéndole la corona. ¡ Cuantos delírios ! ¿ Que nacion no se arma en el momento, que advierte toma un carácter de guerra la limítrofe? Se piden esplicacisnes, pero ántes es prepararse para la defensa. Esto es lo que hemos ejecutado. El Perú levantó una fuerza respetable, y al mismo tiempo mandó un plenipotenciario para que requiriere al gobierno de Colombia sobre el objeto de su armamento; manifestaré, que este acto hóstil, nos habia obligado á iguales prevenciones; que por nuestra parte jamas se romperia la amistad y alianza; pero que se le imputarian los enormes gastos que hasta entónces se nos habian causado, y causaren en adelante, si no se retiraban las tropas.

Con relacion al plenipotenciario se da por ofensa no haber querido tratar de la restitucion de Mainas y de Jaen, y liquidar el crédito que tiene Colombia contra el Perú. Si en un manifiesto escrito ahora tres siglos, halláramos este cargo entre dos

dence that they had no other object, than to overturn all order, and plot against our legitimate institutions, should go through the country? Is this being the enemy of Colombia? It is guarding oneself against the arts of an ambitious man who wishes to be crowned in Colombia, in Upper and Lower Peru, in Buenos Ayres, and Chili!!!

The organization of an army on our frontiers is ranked as a grievance. In reality it is the greatest, not against Colombia, but Bolivar. He would have wished us to have permitted him to assemble his troops at the posts nearest to us on the north; that we should have borne the threats and insults of General Heres in Guayaquil, and of the Spaniard Infante in Upper-Peru; that we should have furnished him with provisions, baggage, and quarters; that we should have prepared for him a triumph in every city, and afterwards have cast ourselves at his feet offering him the crown. How many insane projects! What nation does not take up arms as soon as it perceives that a neighbouring nation assumes a warlike aspect! Explanations are demanded, but the first step is to prepare for defence. This is what we have done. Peru raised a respectable force, and at the same time sent a Plenipotentiary, to demand of the government of Colombia the design of its warlike preparations; to declare that this hostile act had obliged us to make similar preparations; that on our part friendship and alliance would never be broken; but that the enormous expenses which they had occasioned us until that time, and should occasion us in future, would be imputed to them, if they did not withdraw their troops.

In regard to the Plenipotentiary, it is alleged as an injury, his not having been willing to treat concerning the restoration of Mainas and Jaen, and liquidate the account which Colombia has against Peru. If in a manifesto written three centuries ago we should find this charge between two sovereigns of the extreme northern part of the world, we should be astonished at the gross ignorance of those days. In our time, when the law of nations and politics are very common sciences, one can hardly have patience enough, to hear this kind of errors. Envoys, of whatever rank they may be, cannot deviate in a single point from the instructions received. Much less, when they are not appointed resident and for general affairs, but for a particular and exclusive one. He whom we sent, was commissioned to inquire the cause of the assembling

soberanos de lo último del norte, admiraríamos la grosera ignorancia de aquellos tiempos. En nuestros dias que el derecho de gentes y la política son ciencias en estremo comunes, apénas hay paciencia suficiente, por oir esta clase de errores. Los Enviados de cualquiera clase que sean, no pueden salir un punto de las instrucciones recibidas. Mucho menos, cuando no son nombrados residentes y para asuntos generales, sino para uno particular y esclusivo. El que remitímos fué encargado de preguntar la causa de la reunion de tropas, protestando por los perjuicios que resultaban, y asegurando por nuestra parte el deseo de una paz continua. Si el plenipotenciario se contraía á unos artículos para los cuales no estaba autorizado, cometía un crímen, y ademas era nulo cuanto ejecutase.

Queriendo esclarecer sus derechos Colombia sobre esas provincias, y que se liquide la cuenta, puede nombrar un plenipotenciario al efecto. ¿Y nuestras cuentas mutuas por donde deberán comenzar? Por la que presente Bolívar del tiempo que administró el Perú! Cuenta en que se le hallará descubierto en muchos millones. Serán tambien en nuestro abono los gastos de los ejércitos desde el instante en que se nos amenazó con la guerra. Aseguro, que á esta fecha Colombia se halla en un gran descubierto en nuestro favor. Las provincias de Jaen y Mainas no dirémos únicamente, que nos corresponden, porque fuéron del Perú al tiempo de la independencia, sino por ser el voto general de sus habitantes, que han remitido sus diputados al Congreso. Y es de notar que este acto se ejecutó á presencia del mismo Bolívar. Gual, Ministro de estado y plenipotenciaro en Panamá, me repitió algunas veces, que su república estaba llana á ceder el derecho que tenia á esas provincias.

Haber negado el paso á las tropas de Colombia, que estaban en el Alto Perú y habian de restituirse á su república, entra en el número de los agravios. El hecho es enteramente falso, y desmentido por los mismos papeles de Bogotá. No solo no se negó á ello mi gobierno, sino que proporcionó los buques al efecto. Y con la verdad que amo tanto, diré, que esta materia se trató con el mayor ardor en el congreso. Me opuse á que se consintiere, que internasen las tropas en nuestro territorio, mientras no descubria el gobierno de Colombia sus intenciones, que ya eran alarmantes, Demostré que no habia obliga-

of troops, to declare the injuries arising from them, and express on our part the desire of a continued peace. If the Plenipotentiary negotiated any articles, for which he was not authorized, he committed a crime, and moreover whatever he might execute was null. Colombia wishing to lay open its claims on these Provinces, and to have the account liquidated, can appoint a Plenipotentiary for the purpose. And our mutual accounts, where ought they to commence? By the representation of Bolivar, from the time that he governed Peru! He calculates on finding a balance of many millions in his favor. The expenses of the armies from the moment in which we ceased being threatened with war, will be also to our credit. I declare that at this date Colombia owes a great balance in our favour. We will not say that the provinces of Jaen and Mainas belong to only us, because they belonged to Peru at the time of the Independence, but because it is the general vote of their inhabitants who have sent their deputies to Congress. And it is to be observed that this act was executed in the presence of Bolivar himself. Gual, Minister of State and Plenipotentiary in Panamá, repeated to me several times, that his Republic was willing to resign the claim it had on those Provinces.

The refusal of a passage to the Colombian troops, who were in Upper Peru, and who were to return to their Republic, is enumerated among the grievances. The assertion is entirely false, and contradicted in the very papers of Bogotá. My government not only did not refuse it, but furnished the vessels for the purpose. And with the truth which I love so much, I will say, that this subject was debated with the greatest warmth in Congress. I opposed that permission should be given to the troops to pass through the interior of our territory, while the government of Colombia did not disclose its intentions, which were already alarming. I demonstrated that there was no obligation to accede to so dangerous a solicitation; that we ought to bear in mind the manner in which Napoleon introduced his armies into Spain, deceiving the incautious Spaniards; that everything was to be feared from an ambitious man who proposed to follow in his footsteps. My observations were disregarded: the pass was granted; they embarked and arrived safely at the place of their destination.

The events in Upper Peru are what have most afflicted Boli-

cion para acceder á una solicitud mui peligrosa: que se recordase el modo como Napoleon introdujo sus ejércitos en España burlándose del incauto español: que todo era de temer de un ambicioso, que se propuso seguir sus huellas. Mis reflexiones fuéron desatendidas; se concedió el paso, se embarcáron, y llegáron felizmente á su destino.

Lo que mas ha herido y aun desesperado á Bolivar son los sucesos del Alto Perú. ¡ Terrible cargo! Su relacion acredita que aquel estado, ni era libre, ni independiente; que se hallaba bajo su autoridad; y que las ofensas que se le hacian, tocaba á él vindicarlas. No habria dicho otro tanto Luis XIV, cuando su nieto estaba en España. El no se hubiera atrevido á declarar la guerra á alguna nacion por injurias á aquel estado, antes que su legítimo soberano reclamase. De los hechos que se alegan tengo certidumbre del uno, porque aun me hallaba en Lima; del otro, por los papeles ministeriales que herecibido.

¿ Cual era el estado político de las provincias del Alto Perú despues de la espulsion de los españoles? Ellas no estaban constituidas, ni formaban una nacion: no habian hecho sino variar de cautiverio. Ese pais, el mas declarado por la libertad, y él que hizo mayores sacrificios por conseguirla, aun no la gozaba. Ninguno les negará, sin cometer la mas atroz injusticia, el derecho que tienen á constituirse por sí, y sin intervencion de alguna potencia estranjera. Pero no es lo mismo estar en aptitud de constituirse que estar constituido. Para constituirse un estado republicano ha de preceder el pacto de todos con todos. No puede haber pacto, donde no hay libertad. Tener una Carta dada por la fuerza que no se puede resistir, no es hallarse constituido. ¿ Pudo el Alto Peru haber recibido con agrado el librito de Bolivar? Es absolutamente increible. Las donaciones generales se tuviéron por nulas en todas las legislaciones, porque se creyó que carecía de buen sentido, él que se desprendia de todos sus bienes. ¿ Convendrá ningun pueblo sin violencia en un presidente vitalicio, inviolable, y con facultad de nombrar sucesor? Entónces para que se sostuvo la guerra contra España? Los reyes no tenian mas prerogativas, ni las tienen en las monarquías absolutas. Un jefe de esa clase en un estado, que se dice democrático, es mas inconcevible, que el ser un cuerpo blanco y negro, redondo y cuadrado al mismo tiempo.

Mas no es una presuncion la que tenemos de la repugnancia

var, and even made him desperate. Terrible charge! His account proves that that State was neither free nor independent; that it was under his authority; and that it was his place to revenge the wrongs it experienced. Louis XIV, would not have said as much when his grandson was in Spain. He would not have dared declare war against a nation, for injuries to that State, before its legitimate sovereign had solicited it. Of the facts which are alleged I am certain of one, because I was in Lima; of the other, by the ministerial papers which I have received.

What was the political condition of the Provinces of Upper Peru after the expulsion of the Spaniards? They were not constituted, nor did they form a nation: they had only changed their captivity. That country the most decided for liberty, and which made the greatest sacrifices to obtain it, did not yet enjoy it. No one will deny them, without committing the most atrocious injustice, the right they have to form their own constitution, and without the interference of any foreign power. But it is not the same thing, to be in a fit state to form a constitution, and to be already constituted. Could Upper Peru have received with pleasure the charter of Bolivar? It is absolutely incredible. General donations were considered as valueless in all legislations, because it was believed that he who stripped himself of all his possessions was deficient in good sense. Will any nation consent without violence to have a President for life, inviolable, and with the power of appointing a successor? Then, why was the war maintained against Spain? Kings had no greater prerogatives, nor do they have them in absolute monarchies. A chief of this kind in a State which calls itself democratic, is more inconceivable, than that a body should be black and white, round and square at the same time.

But what we say of the repugnance of the Provinces of Upper-Peru to that monstrous government is not presumption on our part; these are the most solemn facts. The operations against the oppressors were incessant. They were not directed by hungry, miserable, naked beings, but by the generality of the population. And it is worthy of remark that many Colombian officers took an active part in them. Such is the powerful influence of justice! They might be kept down by arms, as often happens in enslaved nations; but finally the deliverance was accomplished.

de las provincias del Alto Perú á ese monstruoso gobierno; son datos los mas solemnes. No cesáron los movimientos contra los opresores. Ellos no fuéron dirijidos por hambrientos, miserables, desnudos; sí, por lo general de la poblacion. Y es digno de notarse, que muchos oficiales de Colombia tomáron una parte activa en ellos, ¡ tal es el poderoso influjo de la justicia! Pudiéron sofocarse por las armas, como acontece muchas veces en los pueblos esclavizados; pero al fin se logró el éxito. El que no tiene otro apoyo que soldados en una nacion, puede saber que su existencia es mui efimera.

Lima tuvo el mayor placer con la noticia del movimiento de la Paz; pero es falso que el gobierno tomase en ello parte. Si el Sarjento que la dirijió es socorrido, como lo son los oficiales de Colombia; un acto de rigorosa humanidad, nunca puede ser culpable. Inglaterra y Francia han ausiliado à los emigrados de España, y el rey Fernando no concibió este hecho un insulto su à dignidad. Entre nosotros hay otras razones mas poderosas. Son víctimas sacrificadas por sostener los principios que respetan los hombres libres; abandonarlos, para que pereciesen, seria la mayor infamia.

El Jeneral Gamarra entró en las provincias del Alto Perú llamado por ellas. Este acto lejos de ser una violacion del derecho de gentes, es conforme al derecho de gentes, y al divino. El verdadero derecho de gentes es el natural, aplicado á las naciones. Este ordena que el hombre socorra al hombre, cuando es oprimido por un injusto, é implora por ausilio. Aquel, que los pueblos se protejan mútuamente contra la tiranía. No ha sido el ànimo del Perú apoderarse de esas ricas provincias, unirlas à la republica, ó reducirlas, á colonias. Lo que se pretendió y consiguió, fué arrojar de su seno á los Cartagineses. Ya son libres é independientes; ya pueden formar sus pactos; pactos que respetarémos de igual modo, que las constituciones de las demas repúblicas.

Argumenta Sucre y dice, que él fué llamado del Bajo Perú por muchos particulares, y aun por tribunales, y que no lo hizo por no violar la independencia de las naciones. ¡ Cuanto oscurece el espíritu una pasion! ¡ Quien no advierte la diferencia! Pudiéron algunos pocos malos Peruanos llamarlo. Me era muy fácil señalar sus nombres. ¿ Pero cual era el fin? Que se restituyese el gobierno de Bolívar. ¿ Es lo mismo

He who has no other support than soldiers in a nation, may be assured that his existence is very ephemeral.

Lima experienced the greatest pleasure on hearing the news of the movement of La Paz, but it is false that the government took any part in it. If the sergeant who directed it is assisted, as are the officers of Colombia, an act of strict humanity can never be culpable. England and France have assisted the Spanish emigrants, and king Ferdinand has not considered that act as an insult to his dignity. With us there are more powerful reasons. They are victims sacrificed in the support of the principles which freemen venerate; to abandon them, that they might perish, would be the greatest baseness.

General Gamarra entered the provinces of Upper Peru solicited by them. This act far from being a violation of the law of nations, is conformable to the law of nations and to the divine law. The true law of nations is the natural law applied to nations. The latter ordains that man should assist man, when he is oppressed by the unjust and implores assistance. The former, that nations should protect each other mutually against tyranny. It was not the intention of Peru to take possession of those rich provinces, and unite them to the republic, or make colonies of them. What it desired and obtained was to cast from its bosom the Carthaginians. Now they are free and independent, now they can form their compacts; compacts which we ought to respect equally with the constitutions of the other republics.

Sucre argues and says, that he was invited from Lower-Peru by many individuals and even by tribunals, and that he did not do it, in order not to violate the independence of nations. How does one passion obscure the mind! Who does not perceive the difference! Some few wicked Peruvians might have invited him. It would be very easy for me to name them. But what was the object? That the government of Bolivar should be restored. Is it the same thing to ask assistance to protect tyranny, as to ask it to obtain liberty? Some perverse Spaniards invoked also the power of Napoleon. Does this resemble the mutual assistance which the States of North America afforded each other to resist the English? The distance is as great as that between virtue and vice. And why did he not come upon Peru? Was it from moderation? He knows it not. He feared our forces from

pedir ausilio para protejer la tiranía, que para alcanzar la libertad? Algunos perversos españoles invocaron tambien el poder de Napoleon. ¿Se asemeja esto con el mutuo socorro que se diéron los Estados del Norte de América para resistir á los Ingleses? La distancia es tan grande cual se nota entre la virtud y el vicio. ¿Y porque no vino sobre el Perú? ¿Fué por moderacion? No la conoce. Temió las fuerzas nuestras del Sud. El Jeneral Gamarra andaba por ese rompimiento, para arrojarlo para siempre de nuestro territorio.

Quedan enteramente desvanecidas las miserables causas en que se fundó Bolívar para declarar la guerra. Que el presidente La-Mar se disponga á ponerse á la frente de nuestro ejército, es una obligacion dictada por su honra: que se trate de bloquear á Guayaquil, es un efecto de la guerra. Nada de esto se ejecutó ántes de la declaracion. Nuestras tropas no pusiéron un pie en el territorio de Colombia, ni nuestros buques insultáron sus puertos. Estuvimos únicamente á la defensiva. Son hechos figurados, cuantos se oponen á esta verdad.

No queremos la guerra, ni nos conviene. Las nuevas repúblicas solo deben contraerse á que se consoliden unos gobiernos, que segun las favorables circunstancias, pueden ser perfectos y felices. Nuestras disputas eran de concluirse de un modo amigable, solicitando la mediacian de una potencia imparcial é ilustrada. Si nuestros justos deseos no tienen efecto, conocerá el mundo, que el Peruano tiene honor, coraje, intrepidez, tatento; que no es una horda de bárbaros; que hay hombres mui capaces de dirijir el gabinete y distinguirse en la campaña. El conde de La Union nació en Lima; esta fué la patria de Olavide. Peralta y Pardo de Figueroa fuéron de Arequipa y el Cusco. Olvidemos tiempos pasados; los peruanos rotas las cadenas con que los atáron los españoles y renovó Bolívar, perseguirán á sus invarores hasta aquellos puntos, que fuéron los primeros límites del vireinato del Perú. No desolarán, ni ensangrentarán los lugares por donde pasen. Lejos de esto, respetando la independencia natural de los pueblos, se emplearán únicamente nuestras armas á espeler de todo el territorio americano á un hombre solo que impide la paz, amistad y union que debia ser eterna entre repúblicas hermanas, cuyo verdadero interes consiste en protejerse mútuamente. GUERRA A BOLÍVAR, PAZ CON COLOMBIA.

the South. General Gamarra was waiting for that rupture, in order to drive him forever from our territory.

All the miserable causes on which Bolivar grounded himself for declaring war are done away. Let president La Mar prepare to place himself at the head of our army, it is a duty dictated by his honor; that the blockade of Guayaquil should be resolved upon—this is a consequence of the war. Nothing of this was done before the declaration. Our troops did not set foot in the territory of Colombia, nor did our vessels insult their ports. We were only on the defensive. All assertions contrary to this truth are misrepresentations.

We do not desire war, neither is it expedient for us. New republics ought only to confine their attention to the consolidation of governments, which under these favorable circumstances may be perfect and happy. Our disputes might have been terminated amicably; by soliciting the mediation of an impartial and enlightened power. If our just desires are not realized, the world will know that the Peruvians have honor, courage, intrepidity, talents; that they are not a horde of barbarians; that there are men among them very capable of directing in the cabinet and distinguishing themselves in the field. The Count de la Union was born in Lima; that was the country of Olavide. Peralta and Pardo de Figueroa were from Arequipa and Cusco. Let us forget past times; the Peruvians having burst the chains with which the Spaniards bound them, and which Bolivar renewed, will pursue their invaders to those points which were the first boundaries of the viceroyalty of Peru. They will not desolate nor blood-stain the places through which they pass. Far from this, respecting the natural independence of nations, they will employ their arms solely in expelling from the whole American territory one man alone, who prevents the peace, friendship, and union, which ought to be eternal between sister republics, whose true interest consists in protecting each other mutually.

WAR AGAINST BOLIVAR. PEACE WITH COLOMBIA.

APENDICE.

Mis observaciones sobre la nota que va á pasarse á la Corte Suprema con el fin de que se admita la Constitucion de Bolivia en el dia.

1.ª Las facultades de los electores están señaladas en la Constitucion Peruana por los artículos 37, 38, 39 y 44. El empleo de elector cesa segun el 40, cuando se han concluido los actos señalados en esos artículos. El nombramiento de electores es del pueblo en masa, segun el artículo 30. Por principios de derecho público y civil son unos mandatarios, que no pueden escederse de los fines del mandato. Estando la soberanía en el pueblo y emanando de él, toda potestad del funcionario tiene por límites la voluntad espresa del pueblo. El que sale de los límites que se le fijáron, comete un crímen de magestad contra la patria. De aqui se deduce, que los colegios electorales habiendo procedido fuera de sus atribuciones, no pueden hacer legítimo un acto nulo por su naturaleza. Pero habiendo el Dictador suspendido el egercicio de la Constitucion Peruana y continuando el Consejo de gobierno con facultades dictatoriales, se puede muy bien poner en egecucion la nueva carta con la calidad de que el cuerpo legislativo legítimamente convocado la examine y la apruebe. Entónces sí, se diria admitida por el pueblo.

Aun se me presentan inconvenientes de mucho bulto que es preciso los tratemos antes :——Son estos ;

1.º La Constitucion de Bolivia establece tres cámaras.—Artículo 27. Estas cámaras han de nombrarse por electores y estos electores han de tener su nombramiento del pueblo, segun el artículo 20. Estas Cámaras reunidas deben nombrar al Presidente por la primera vez : es el artículo 30, caso 1.º—¿Como se hacen estos nombramientos hoy, y por quien. ¿Se pondrá la Constitucion en planta sin tribunos, senadores y censores? Esto es que no exista ni la antigua ni la nueva Constitucion. ¿Elegirán tambien estos empleos los colegios electorales? El acto sería en estremo ilegítimo. No solo no tienen poder para ello,

APPENDIX.

My observations upon the Note which is about to be presented to the Supreme Court with a view that the Constitution of Bolivia should be admitted this day.

1st. The powers of the electors are designated in the Peruvian Constitution by the articles 37, 38, 39, and 44. The office of elector ceases according to the 40th, when the acts designated in those articles shall have been completed. The appointment of electors belongs to the people *en masse* according to the 30th article. By the principles of public and civil law they are agents who cannot exceed the ends of the mandate. The sovereignty being in the people and emanating from them, every power of the functionary has for limits the express will of the people. He who exceeds the limits that were fixed for him commits a high crime against the country. Hence follows, that the electoral colleges having proceeded beyond their attributions cannot make lawful an act which is null from its nature. But the Dictator having suspended the exercise of the Peruvian Constitution and the Council of government continuing with dictatorial powers, the new Charter may very well be put in execution with the proviso, that the legislative body lawfully convoked should examine and approve it. Then, indeed, it may be said, that it is admitted by the people.

Inconveniences of great importance yet present themselves which it is necessary before to consider, to wit:

1st. The Constitution of Bolivia established three chambers; article 27th. These chambers are to be appointed by electors, and these electors are to receive their appointment from the people according to the article 20th. These chambers reunited are to appoint the President for the first time: in the article 30th, case 1st. How are those appointments made now, and by whom? Shall the Constitution be acted upon without tribunals, senators, and censors? This will cause that neither the ancient, nor the new Constitution shall exist. Will the electoral colleges choose also these officers? The act will be exceedingly unlawful. Not

pero ni lo podian tener por las razones siguientes: 1.ª Porque los mandantes al tiempo del nombramiento ni aun habian imaginado que se trataría de una nueva Constitucion. 2.ª Porque los electores, si se trata de una nueva Constitucion, han de ser elegidos con arreglo al artículo 20.

Segunda consideracion; el Presidente debe por la primera vez ser nombrado por pluralidad absoluta del cuerpo legislativo. ¿Como entra S. E. el Libertador en este empleo? No por la Constitucion Peruana; porque segun el artículo 60, caso 24, debe elegirlo el Congreso y proponerlo el Senado. No por la Constitucion de Bolivia, por los motivos indicados. Estas cuatro palabras escritas en malísima letra, deseo que se satisfagan. La Europa y la América están en espectacion de lo que vamos á hacer. Nuestro honor y la lealtad á la patria nos obligan á ser muy circunspectos. La misma franqueza con que me esplico, es una prueba de que en mí no hay otro designio que el evitar que se diga de nosotros que hemos puesto en planta una constitucion contra la voluntad de los pueblos.

ARENGA,

Pronunciada en el palacio del Supremo Gobierno por Manuel Lorenzo Vidaurre, presidente de la Corte Suprema de Justicia, el dia 9 de diciembre, de 1826, en que se juró la Constitucion de Bolivia.

El ángel protector sentado en las nubes veía de hito en hito la ampolleta de los tiempos: el decreto de Dios estaba espedido, él era irrevocable. En Ayacucho iba á finalizar el gobierno de los españoles. Se acerca el momento cuando los dos egércitos se divisan: ¡que momento! El ángel convoca la asistencia de muchos inmortales que ántes fuéron opresores ú oprimidos. El empíreo y los infiernos se abren á una misma hora. Atahualpa, Tupac-Amarú, Antequera, el justo Ubalde, Fr. Bartolomé de las Casas, se descubrían entre millares de mártires bienaventurados: sus blancas ropas, la serenidad de sus semblantes, la luz que los rodéa, todo manifestaba el regocijo, el placer, la gloria. Pizarro, Almagro, el inícuo clérigo Luque, Castel-Fuerte y Abascal se acompañan de asesinos y rapaces. Tambien se les asocía el primer obispo Fr. Vicente de Valverde. Estos eran vestidos del crímen, y en sus frentes estaban esculpidos los vicios mas enormes: el ceño de sus rostros patentiza la desesperacion, la ira,

only have they no power for it, but cannot possess it for the following reasons: 1st. Because the principals at the time of the appointment had not even imagined that the question would be upon a new Constitution. 2d. Because the electors, if the subject matter should be a new Constitution must be elected agreeably to the article 20th.

A second consideration; the President must be for the first time appointed by an absolute plurality of the legislative body. How does his Excellency the Liberator enter into this office? Not by the Peruvian Constitution; because by the article 60th, case 24th, the Congress is to elect him and propose him to the Senate. Not by the Constitution of Bolivia, for the reasons already stated. These few words written in a very bad hand, I should wish they were answered satisfactorily. Europe and America are in expectation of what we are going to do. Our honor, and fidelity to our country oblige us to be very circumspect. The very frankness with which I explain myself, is a proof that there is no other design in me, but to avoid that it should be said of us, that we have established a constitution against the will of the people.

ADDRESS,

Delivered in the palace of the Supreme Government by Manuel Lorenzo Vidaurre, *President of the Supreme Court of Justice, on the 9th day of December of* 1826, *in which the Constitution of Bolivia was sworn.*

The protecting angel seated on the clouds watches stedfastly the sands * of time; the decree of God was emitted, it was irrevocable. The government of the Spaniards was to end at Ayacucho. The moment approached when the two armies discovered each other: what a moment! The angel invoked the attendance of many immortals who were formerly oppressors or oppressed. The empyreal and the abyss opened at the same time. Atahualpa, Tupac-Amaru, Antequera, the great Ubalde, Father Bartholomew de las Casas, were discovered among thousands of blessed martyrs: their white garments, the serenity of their countenances, the light which surrounded them, everything displayed joy, pleasure, and glory. Pizarro, Almagro, the infamous clergyman Luque, Castel-Fuerte and Abascal are attended by assassins and rapacious spirits. The first bishop, Father Vincent de Valverde,

* Ampolleta, hour-glass.

los remordimientos. El ángel grita: ha llegado el dia de las venganzas del Señor; testigos vais à ser de la justicia del Omnipotente. El que dispuso de los Persas y de los Medos, él que entregó Roma á Teodorico y Atila, él que hizo correr los buques en la tierra para que concluyese el imperio griego; ese mismo determina que el nombre de Borbon desaparezca: restan breves instantes.= La victoria va á ser un nuevo prémio de los buenos, y un aumento de castigo para esa caterva de malvados.

En la region inferior no se oían estos discursos. *¡Ah! que los mortales se engañan las mas veces en sus juicios. Cuando se contemplan mas seguros, es la víspera de la caída y de la muerte. ¡Infeliz império él que se sostiene por las bayonetas y la fuerza! Los derechos de gobernar una nacion contra su voluntad jamás se sostuviéron largo tiempo, dice el filósofo poeta de la Francia.* El orgulloso Ibéro recorre con la vista el campo: ricos uniformes, brillantes y lucidas armas, caballos fuertes y corpulentos, numerosa artillería, parques con copiosos útiles; comparados con cuatro hombres medio desnudos, muchos de ellos sin fusiles, con débiles brutos que apenas pueden sostener en las espaldas á sus dueños, con una absoluta falta de repuestos y cañones; todo, todo aseguraba el vencimiento. Una ojeada maligna, una risa insultante sobre las tropas peruanas y aliadas, eran pruebas del ludíbrio hácia los que rotulaban miserables y tímidos esclavos. Nadie habla de vencer, solo se trata de recoger los frutos de la victoria. ¡Horrible engaño! *La desesperacion, el honor, la justicia, produce héroes, y los que se juzgan cobardes, aparecen de improviso los mas insignes guerreros.* La Europa se burlaba de los franceses republicanos; ellos se hiciéron respetar de los emperadores y los reyes. Los combatientes se acercan, suenan los instrumentos marciales, el irracional y el hombre corren á pisar y despreciar: empero, ¡que sorpresa! Chocan con invencibles cuyos brazos son ejércitos, y cuyas armas son rayos que reducen á polvo, los que se contemplaban inamovibles edificios. Euribiades y Temístocles, Sucre y La-Mar ordenan á la muerte que corran las líneas españolas, y en ménos de media hora cayo para no levantarse el poder de Gérges—Una voz se oye—*Fernando VII, último emperador de las Américas: la cerviz americana no se bajará voluntariamente para recibir el yugo de otro tirano.*

Los espíritus gloriosos de los indígenas reciben con himnos de loor á nuestros muertos: la fea y pestifera muchedumbre de perversos se aumenta con las almas de los españoles cuyos cuerpos se hallaban diseminados por la tierra. Vuelan aquellos al seno

joins them also. These are clothed in crime, and on their brows were engraven the most horrid vices: the frowning look of their countenances show forth despair, wrath, and remorse. The angel proclaims: the day of the vengéance of the Lord has arrived; you are about to be witnesses of the justice of the Omnipotent. He who disposed of the Persians and Medes; he who delivered Rome to Theodoric and Attila; he who caused the vessels to strand to put an end to the empire of Greece, the same has determined that the name of Bourbon shall disappear; a few moments remain. Victory is about to be a new reward for the good, and an increase of punishment for that multitude of wicked.

In the lower region these words were not heard. Ah! how often mortals are deceived. When they consider themselves most secure, they are on the eve of their fall and death. Unfortunate the empire which is supported by bayonets and violence! The rights of governing a nation against its will were never sustained a long time, says the philosopher and poet of France. The proud Iberian surveys with his eyes the camp; rich uniforms, brilliant and shining armor, strong and powerful steeds, numerous artillery, parks with an abundance of useful implements; compared with a handful of men, many of them without guns, with feeble animals which can hardly support their riders on their backs, with an absolute want of reserve and cannon; everything assured a conquest. A malignant glance, an insulting smile upon the Peruvian and auxiliary troops, were proofs of scorn towards those whom they called miserable and fearful slaves. No one speaks of conquering, the only consideration is, how to reap the fruits of victory. Dreadful illusion! *Despair, honor, justice, produce heroes, and those who are judged cowards, appear unexpectedly the most distinguished warriors.* Europe laughed at republican Frenchmen; they made themselves respected by emperors and kings. The combatants approach; the martial instruments sound, the brute and man hasten to trample and destroy: but what surprise! they encounter invincibles whose arms are hosts, and whose weapons are bolts which reduce to dust those who considered themselves impregnable ramparts. Euribiades and Themistocles, Sucre and La-Mar command death to pervade the Spanish lines, and in less than half an hour the power of Xerxes fell not to rise again. A voice is heard:—*Ferdinand VII, last emperor of the Americas; the American neck will not voluntarily stoop to receive the yoke of another tyrant.*

de Dios; se precipitan estos para siempre en el haverno. *Para siempre sepultados, dice el Angel, llevando con vosotros la injusticia: yo promulgo desde ahora los derechos del hombre en el mundo de Colon.*

Es entónces que desde el nuevo Sinai dicta nuestro decálogo social: nada vale mudar el nombre de los Amos, si no se goza de la libertad política y civil. La independencia de todo otro Estado: en aquel á que se pertenece, la seguridad de la persona y propiedades. Libertad de pensar, de escribir, de operar: la misma libertad que se tendría en el estado de la naturaleza, siendo el hombre siempre justo. Los gobiernos se constituyen por los pactos=Desgraciado el pueblo que no los forme. Mas vale un Calígula, un Neron sugeto á una Carta que un Tito, un Pio, un Marco Aurelio, siendo absolutos. ¿Amáis el ser libres? Combatid con una mano la anarquía, con la otra el despotismo.

¡Dia santo en que recordando la mas insigne batalla que presenciáron los siglos, y lecciones tan sâbias y sublimes, un Estado constituido espresa sus sentimientos de gratitud al padre de la patria! Númen benéfico: tú das la libertad á tus compatriotas: tú preparas la felicidad de cien generaciones. El mandato del justo por esencia se cumpla, y triunfe para siempre la justicia en nuestros paises. Los tribunales se desvelarán, porque la campaña de Ayacucho tenga un efecto que corresponda al angelical deseo.—*Pueblo del Perú, yo juro que ningun poder humano me hará salir una línea de la ley. El general Bolivar, el héroe mas grande de la historia, ese que allí teneis y á quien adorais, recibió el título de Dictador, porque la necesidad lo obligó á ello para salvar la patria. Se puso sobre la ley él que mas la ama. Ya os devuelve ese título; ya lo dimite: ya no hay circunstancias, ya no hay facultades estraordinarias.* Todos hemos jurado, todos hemos de cumplir: el perjuro es el enemigo de la patria; sean los ministros de Estado, sean los últimos ciudadanos, la patria los castigará. La Constitucion no ha de ser juguete, ni del demagogo, ni del tirano. Estos son los votos, estas las protestas que hace á V. E. á nombre del poder judicial un magistrado, que como todos sus compañeros, ama la ley, y anhela por su egecucion. M. L. V

The glorious spirits of the indigenous receive our dead with hymns of praise: the homely and pestiferous multitude of the perverse increases with the souls of the Spaniards whose bodies were strewed on the earth. The former fly into the bosom of God; the latter are forever precipitated into the *avernus*. *Be forever buried, says the angel, carrying with you injustice. I promulgate from this moment the rights of man in the world of Columbus.*

Then it is, that from the new Sinai he dictates our social decalogue: it is of no avail to change the name of masters, unless we do enjoy political and civil liberty. Independence from every other State; security of person and property in that to which we belong. Liberty of thinking, of writing, of acting; the same liberty which we should possess in the state of nature; man being ever just. Governments are constituted by compacts. Unfortunate the people who should not form these!

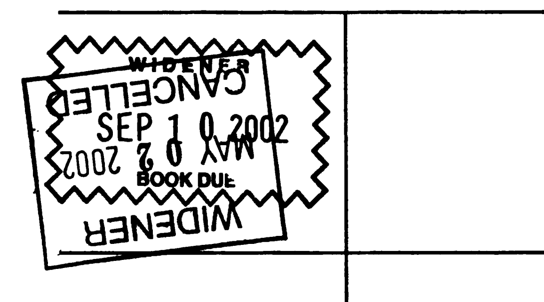
A Caligula, a Nero, subjected to a charter, are preferable to a Titus, a Pius, a Marcus Aurelius, if absolute. Do you love to be free? Combat anarchy with one hand, and with the other despotism.

Holy day! in which commemorating the most distinguished battle that ages ever witnessed, and lessons so wise and sublime, a constituted State expresses its gratitude to the father of the country. Beneficent Genius! thou givest liberty to thy countrymen; thou preparest the felicity of a hundred generations. Let the mandate of the truly just be fulfilled, and let justice forever triumph in our regions. The tribunals will exert themselves to the end that the campaign of Ayacucho may have an effect which shall correspond with the angelical desire. *People of Peru, I swear that no human power shall make me deviate one line from the law. General Bolivar, the greatest hero in history, him whom you have present, and whom you reverence, received the title of Dictator, because necessity obliged him to it to save the country. He who most loved the law, placed himself above it. He now restores to you that title, he now resigns it: there exist no longer extraordinary circumstances, extraordinary powers.* We all have sworn, we all have to fulfil: the perjurer is the enemy of the country; whether he be Minister of State, or the lowest citizen, the country will punish him. The constitution must not be the sport either of the demagogue or of the tyrant. These are the vows, these are the protestations which a magistrate, who, like all his associates, loves the law, and is anxious for its execution, makes to Your Excellency in the name of the judicial power. M. L. V.

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